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VOL. X

DECEMBER, 1929

No. 3

THE LEAGUE OF UNITED LATIN-AMERICAN CITIZENS: A TEXAS-MEXICAN CIVIC ORGANIZATION¹

By O. DOUGLAS WEEKS

University of Texas

I

THE MEXICAN-AMERICAN CITIZEN OF SOUTH TEXAS

In the current discussion relative to the advisability of restricting Mexican immigration it is sometimes forgotten that a considerable element in the population of the Southwest consists of native born Mexican-American citizens. This is true in particular of that extreme southern portion of the State of Texas which lies below a line drawn eastward from Del Rio on the Rio Grande to San Antonio and thence to Corpus Christi on the Gulf of Mexico. Those who favor the restriction of incoming Mexicans are inclined to put all Texas-Mexicans into one category and to characterize them generally as ignorant, slothful, unclean, dangerous, and incapable of assimilation or of good citizenship. This opinion fails to classify types of Mexicans and fails to distinguish clearly between the recently arrived alien and the citizen of long standing. Moreover, it gives a low estimate of the Mexican's potentialities for improvement. These citizens, while for the most part lowly and ignorant, are generally conceded to be peaceful and law abiding, and, regardless of what may be said for or against restricting Mexican immigration, are indispensable to the economic well-being of South Texas. Certainly they are a fixed part of its social structure, and whether or not they are capable

¹The information contained in this article, in addition to that derived from the references cited in subsequent footnotes, was collected by the writer while attending the conventions of the *League of United Latin-American Citizens*, in visiting a number of its local councils and in many conferences with its leaders and others.

of good citizenship, they *are* citizens and must be dealt with as such, and their civic improvement is an imperative responsibility.

In the past practically all these people were ranchmen or ranch tenants, and the majority of them still are one or the other. The rural schools provided for them have been and remain notoriously bad. As a general rule—something often true of any class that is poor and ignorant—they have not always received equal justice in the courts, and, in addition, they have borne the onus of being members of an alien race. Economically they have frequently been exploited, and politically they have been subjected, in many localities at least, to a patriarchal type of bossism which has not contributed to their education in the responsibilities of citizenship and voting.

During the past fifteen or twenty years, however, parts of the region under consideration have undergone remarkable economic development, notably in the lower Rio Grande Valley from Brownsville to Mission and around Corpus Christi and Robstown, and to a less extent around Kingsville, Falfurrias, Alice, and Laredo. Here irrigation or improved methods of agriculture have been introduced and particularly in the "Valley" new towns and even cities have grown up. A large element in the population of all these municipal centers consists of the Mexican-American citizen and every town has its "Mexiquito." Here has developed a considerable middle class among these people. They have profited from the superior educational and economic advantages thus afforded as well as from contacts with the new settlers who have poured in from all parts of the South and Middle West, in spite of the fact that these new people have often not understood them. True enough, many of these city dwellers of Mexican extraction have remained ignorant and are constantly drawn to the newly arrived Mexican immigrants who help fill these Mexican quarters, but the fact remains that there has arisen in their midst a class of prosperous, educated citizenry whose living conditions and attitudes compare favorably with American standards. Moreover, it must not be forgotten that in the old border towns such as Brownsville, Rio Grande City, Roma, and particularly Laredo (which are still largely Mexican towns) there has always been an advanced group of Mexican-Americans with traditions of family and culture, which has played an important part in community affairs. Albeit, old evils have reasserted themselves in these urban communities

among the less advanced majority with the result that racial inequalities and ward politics of a more urban character have been fairly prevalent. The advanced Mexican-American, therefore, but recently awakened to a new sense of the potentialities of his race, views with concern not only these conditions in the towns but the older conditions which still prevail in the country. He believes in his people; he believes that what he has accomplished for himself may be realized in part for his less fortunate brothers, and he is at present strongly urged by a desire to organize his own element for the purpose of hastening the development of these people and supplementing what an improved school system in the towns at least has been able somewhat to accomplish.

His motive in this undertaking is prompted neither by a desire to antagonize the Anglo-American, nor to demand a complete equality either among the Mexican-Americans themselves or between them and the Anglo-Americans. What he wants to do most of all is to eliminate as much as possible race prejudice on both sides of the dividing line and to gain for the Mexican-American equality before the law, equal facilities for educational and other forms of improvement, and a reasonable share of political representation in the affairs of the community, state and nation. He realizes full well that the greatest stumbling block in the way of accomplishing this end is the Mexican-American himself, who possesses no very clear conception of the significance of the privileges and duties of his American citizenship. He must first be aroused to a consciousness of that citizenship and then must be educated as to what are his civil and political rights. Before any of this can be accomplished the obstacle of language must be overcome. Mexicans who are American citizens must learn to speak the language of their country; their children must be given a sound knowledge of it in the schools, but, more important, the English language must be used in the homes and business dealings of these people. The obstacle of language is a hard one to overcome, both because of the stubborn clannishness of the Mexican-American himself and because of the refusal in some localities of the Anglo-American to encourage him in the use of English. However, if all these difficulties can be overcome, there is good reason to believe that the Mexican-American can raise himself to the status of a valuable citizen and an intelligent voter. Let it be emphasized, moreover, that this intelligent class of Mexican-Americans is not ordinarily thinking

of the transient or resident alien Mexican. In the latter he sometimes recognizes an obstacle to his program, and is, therefore, not altogether unfavorable to the restriction of Mexican immigration, because he realizes that the newcomer, of the peon class at least, drags down his American racial brother to a lower standard of living and education and sometimes takes his job. The alien also by his ignorance of American law and customs creates racial prejudice which reacts to the detriment of the Mexican-American. It may be added, however, that this intelligent Mexican-American possesses a keen sense of pride in his Mexican origin and in no way wishes to work against the Mexican citizen already here, because, whether citizen or not, the problems of the lowly Mexican in Texas and the United States are essentially the same. These Mexican-Americans feel, therefore, that an improved status for their fellow citizens will have as its by-product an improved status for the alien Mexican.

II

ATTEMPTS TOWARD A UNIFIED ORGANIZATION

One of the first concrete expressions of an awakened spirit among the Mexican-Americans of Texas took the form of an organization, known as the Order Sons of America, which was founded in San Antonio in 1921, and seems to have been the brain child of two or three Mexican-Americans of influence in the Mexican quarter of that city.² The constitution of this organization restricts its membership "exclusively to citizens of the United States of Mexican or Spanish extraction, either native or naturalized,"³ and its central purpose is stated to be that the members "use their influence in all fields of social, economic and political action in order to realize the greatest enjoyment possible of all the rights and privileges and prerogatives extended by the American Constitution. . . ."⁴ Politically the order is to assume no partisan stand, but rather is to confine itself to training its members for citizenship. Its ideal is to become national in scope by establishing local chapters or councils wherever possible. During the past

²Mr. James Tafolla, an attorney, attached to the County Attorney's office of Bexar County in particular. The name "Order Sons of America" is the official English title of this organization.

³*Constitución y Leyes de la Orden Hijos de America* (San Antonio, Texas, 1927), Article III.

⁴*Ibid.*, "Declaración de Principios," Section 1.

eight or nine years it has established seven councils in towns in the northern part of the region under consideration.⁵ The most active of these councils proved to be the ones at San Antonio and Corpus Christi, the latter council being known as Council No. 4. The San Antonio Council established club rooms, has met regularly and has exercised some influence among the Mexican-Americans of San Antonio. The Corpus Christi Council, while it remained a part of this organization, was very active, engaging in charitable activities and intervening wherever possible to rectify individual cases involving injustices to Mexican-American citizens. The other councils of the Order Sons were less active and some are now defunct, but their local leaders in some cases were or are able men, interested in the welfare of the Mexican-American.

Meanwhile other leaders among the Mexican-Americans in the Rio Grande Valley were inspired by ideals similar to those of the Order Sons. After preliminary discussions, some of them decided to call a convention to be held in Harlingen, Texas, on August 24, 1927. Representatives of the Order Sons as well as interested Mexican-Americans of the valley area were invited to attend. The purpose of the convention was to consider the possibility of creating a new organization of which the Order Sons might be persuaded to form a part. When the convention met, however, the latter organization refused to participate in forming such a union, inasmuch as it was already established and, hence, all the others had to do was to accept its membership. The others, on the contrary, were bent upon establishing a new organization, with the result that no agreement could be reached. The Order Sons, thereupon, withdrew, and those remaining proceeded to form a new organization called the League of Latin-American Citizens. The constitution, which was adopted for this league was, on its face, similar to that of the Order Sons.⁶ After thus being created⁷ it proceeded to establish local councils at Browns-

⁵Home Council at San Antonio, and the others at Pearsall, Somerset, Corpus Christi, Alice, Kingsville, and Beeville, all in Texas.

⁶*Manual for use by the League of Latin American Citizens* (no date or place of publication indicated).

⁷Mr. Alonso S. Perales, an attorney in Brownsville in 1927, and since employed in various capacities by the Department of State, Washington, D. C., was chosen president, which position fell to Mr. J. T. Canales, a prominent Brownsville attorney and former member of the Texas State Legislature, when the former was called to Washington. Congressman John N. Garner

ville, McAllen, Grulla, and Encino, which towns are located, respectively, in Cameron, Hidalgo, Starr, and Brooks counties. A short-lived council was also established at Laredo.

The ideal of unity, however, was not forgotten, and early in 1929 another movement was set on foot to effect it. The inspiration this time came from three distinct groups, equally bent on realizing it. One, of course, was the League of Latin-American Citizens. The others were groups which seceded from the Order Sons of America, the first of which represented a part of the membership of the San Antonio Council of that organization, having withdrawn from it after 1927 because of internal dissension. This society had taken the name of Order Knights of America, confining its activities to San Antonio.⁸ The second was Council No. 4 of the Order Sons of America, located at Corpus Christi. This last named organization took the initial move toward the proposed unification. After conferences with the leaders of the various groups it called a convention to be held in Corpus Christi on February 17, 1929, to discuss a basis of union. Invitations, of course, were extended to the Order Sons of America to send delegates, but that organization declined. It seems to have been disgruntled both because of the independent action of its Corpus Christi Council in calling the convention and of the interest shown by the seceded San Antonio group. It was also doubtful of the purposes of the leaders of the League of Latin-American Citizens. Moreover, its earlier idea that all other groups should accept its membership prompted as well its decision not to coöperate. The other organizations, however, had the attitude that all groups should be willing to enter a union on

referred to this organization and its leaders as follows: "There has been organized in this country what is known as American-Mexican citizens association or some such name, and that association numbers among its membership very many people of the very highest type. For instance, members of the Legislature belong to it, one of them Mr. José Canales. He is head of it now. The man formerly at the head of it (Perales) has just been appointed by President Coolidge to go to Nicaragua for the purpose of holding the forthcoming election there. That gentleman is an outstanding American citizen. He is a man of high character and superior ability." *Hearings Before the Committee on Immigration and Naturalization, House of Representatives, Hearing No. 70.1.5, February 21-April 5, 1928, Government Printing Office, Washington, 1928, pp. 98-99.*

⁸One of the outstanding leaders of this group was Mr. M. C. Gonzales, an attorney employed by the Mexican Consul in San Antonio. The name: "Order Knights of America" was the official English title of this organization.

equal terms. The Corpus Christi Council, then, persisting in its desire to effect a union on these terms, practically severed its relations with its mother organization before the convention met.

III

THE FOUNDING OF THE LEAGUE OF UNITED LATIN-AMERICAN CITIZENS

The convention, called as indicated above, assembled in the *Salon Obreros* in the Mexican quarter of Corpus Christi on the date set, which was Sunday. Twenty-five delegates were present representing the three organizations. There were in the hall, however, about one hundred and fifty Mexican-Americans. The convention began its business with the selection of a chairman and secretary.⁹ The deliberations were conducted in both English and Spanish.¹⁰ Admirable decorum was maintained and a remarkable spirit of harmony prevailed. The initial organization completed, a committee representative of the leadership of the three constituent groups¹¹ was selected to draw up a tentative basis of organization. After careful deliberation it presented a report which made seven proposals, all of which were adopted. In brief they were: (I) Adoption of the name, "United Latin-American Citizens"; (II) Membership to be confined to American citizens of Latin extraction; (III) Recognition of all local councils represented in the convention as councils of the new organization; (IV) The calling of a convention to meet in Corpus Christi on the following May 19th to adopt a permanent constitution; (V) The establishment of English as the official language of the organization; and (VI) The adoption of a set of twenty-five fundamental principles, which were later embodied in the permanent constitution and will be referred to below. These propositions adopted, the convention adjourned.¹²

⁹Mr. Ben Garza of Corpus Christi, a prominent member of old "Council No. 4," was chosen president and Mr. M. C. Gonzales of San Antonio, secretary.

¹⁰Messrs. J. T. Canales, A. S. Perales, J. Luz Saenz, E. H. Marin (Editor of *El Paladin*, Corpus Christi), and A. de Luna of Corpus Christi, took active part.

¹¹The Committee consisted of Messrs. J. T. Canales, Alonso S. Perales, A. de Luna, Fortino Treviño, Mauro Machado, and Juan C. Solis.

¹²*The Minutes of the Convention* (typewritten copy); *El Paladin*, Corpus Christi, Texas, February 22, 1929; personal notes of the writer.

In the time intervening between the meeting of this convention and the later constitutional convention four new councils were added, namely, those at Alice, Robstown, Falfurrias, and Edinburg. Delegates from these councils as well as the others were, therefore, present in the constitutional convention which met in Corpus Christi on May 18 and 19, 1929. In addition, interested visitors were present from Floresville, Sugar Land, Gulf, Mission, and Laredo. The Constitutional Committee, which was appointed soon after the convention assembled, began its work immediately.¹³ On the evening of the first day a banquet was held at the Plaza Hotel which was addressed by the city attorney of Corpus Christi, the district attorney of Nueces County and the secretary of the Corpus Christi Chamber of Commerce in addition to some of the leaders of the organization. On the next day the constitutional committee completed its work and rendered its report which was accepted. Thus a permanent constitution was adopted, after which the permanent officers were elected and several resolutions passed, one of which provided for a committee to devise a ritual to be used by the local councils.¹⁴

IV

THE CONSTITUTION OF THE UNITED LATIN-AMERICAN CITIZENS¹⁵

The Constitution as adopted by the second convention referred to above consists of nine articles. The first article establishes the name of the organization as "The League of United Latin-American Citizens." Article II presents the aims and purposes of the organization which are of supreme interest and may be quoted in full as follows:

The Aims and Purposes of This Organization Shall Be:

1. To develop within the members of our race the best, purest and most perfect type of a true and loyal citizen of the United States of America.
2. To eradicate from our body politic all intents and tendencies to establish discriminations among our fellow citizens on account of race, religion, or social position as being contrary to the true spirit of Democracy, our Constitution and Laws.
3. To use all the legal means at our command to the end that all citizens in our country may enjoy equal rights, the equal protection of the laws of the land and equal opportunities and privileges.

¹³The committee consisted of two members from each of the local councils.

¹⁴*Report of Proceedings* (typewritten copy); *El Paladin*, Corpus Christi, Texas, May 17, 1929; personal notes.

¹⁵*The Constitution of the League of United Latin-American Citizens, 1929.*

4. The acquisition of the English language, which is the official language of our country, being necessary for the enjoyment of our rights and privileges, we declare it to be the official language of this organization, and we pledge ourselves to learn and speak and teach same to our children.

5. To define with absolute and unmistakable clearness our unquestionable loyalty to the ideals, principles, and citizenship of the United States of America.

6. To assume complete responsibility for the education of our children as to their rights and duties and the language and customs of this country; the latter, in so far as they may be good customs.

7. We solemnly declare once for all to maintain a sincere and respectful reverence for our racial origin of which we are proud.

8. Secretly and openly, by all lawful means at our command, we shall assist in the education and guidance of Latin-Americans and we shall protect and defend their lives and interest whenever necessary.

9. We shall destroy any attempt to create racial prejudices against our people, and any infamous stigma which may be cast upon them, and we shall demand for them the respect and prerogatives which the Constitution grants to us all.

10. Each of us considers himself with equal responsibilities in our organization, to which we voluntarily swear subordination and obedience.

11. We shall create a fund for our mutual protection, for the defense of those of us who may be unjustly persecuted and for the education and culture of our people.

12. This organization is not a political club, but as citizens we shall participate in all local, state, and national political contests. However, in doing so we shall ever bear in mind the general welfare of our people, and we disregard and abjure once for all any personal obligation which is not in harmony with these principles.

13. With our vote and influence we shall endeavor to place in public office men who show by their deeds, respect and consideration for our people.

14. We shall select as our leaders those among us who demonstrate, by their integrity and culture, that they are capable of guiding and directing us properly.

15. We shall maintain publicity means for the diffusion of these principles and for the expansion and consolidation of this organization.

16. We shall pay our poll tax as well as that of members of our families in order that we may enjoy our rights fully.

17. We shall diffuse our ideals by means of the press, lectures, and pamphlets.

18. We shall oppose any radical and violent demonstration which may tend to create conflicts and disturb the peace and tranquility of our country.

19. We shall have mutual respect for our religious views and we shall never refer to them in our institutions.

20. We shall encourage the creation of educational institutions for Latin-Americans and we shall lend our support to those already in existence.

21. We shall endeavor to secure equal representation for our people on juries and in the administration of governmental affairs.

22. We shall denounce every act of peonage and mistreatment as well as the employment of our minor children of scholastic age.

23. We shall resist and attack energetically all machinations tending to prevent our social and political unification.

24. We shall oppose any tendency to separate our children in the schools of this country.

25. We shall maintain statistics which will guide our people with respect to working and living conditions and agricultural and commercial activities in the various parts of our country.¹⁶

Certain of these fundamental aims or principles deserve comment, which will be indulged in later. At this point it seems most logical to continue with a summary of other important provisions of the constitution. That document provides that membership, in accordance with the decision of the first convention, be confined to "native born or naturalized citizens eighteen years of age of Latin extraction,"¹⁷ although provision is made that any person of distinction, or who has rendered distinguished service to the organization, may be admitted to honorary membership. Members are divided into "active" and "passive" classes. "A passive member," according to the constitution, "is one who is temporarily disqualified to vote or who holds an elective public office."¹⁸

The constitution further provides that the central government of the organization shall be administered by a Supreme Council "which shall consist of two duly elected delegates and two alternates from each Local Council." This council is required to meet annually on the first Sunday in May at which time a President General and a Vice-President General shall be elected. The Secretary and Treasurer of the local council to which the President General belongs are designated respectively, as *ex officio* the Secretary General and Treasurer General. The President General is empowered to create committees from time to time and to select their members and to summon a special convention either when he desires or when two or more local councils request such a convention. The Supreme Council is designated as the highest authority of the organization in matters of legislation and policy framing and its orders and resolutions are given the status of "supreme law." Local councils may also be organized by the

¹⁶*The Constitution of the League of United Latin-American Citizens*, Article II.

¹⁷*Ibid.*, Article III, Section 1.

¹⁸*Ibid.*, Section 4.

Supreme Council or under its authority. These councils are to elect officers and a local executive committee and may make their own by-laws. All officers and members are required to subscribe to an oath in which they swear to "be loyal to the Government of the United States of America, to support its constitution and to obey its laws," and to teach their children "to be good, loyal, and true American citizens." A ritual has also been prepared, but local councils at present differ as to the advisability of its use. Those that favor it regard it as having an educational value and as adding interest to the meetings of local councils. Others believe it savors too much of secrecy which all are united in desiring to avoid, since the organization is distinctly one of civic character.

Since its organization the League of United Latin-American Citizens has made rather phenomenal progress in regard both to organization and growth. The first meeting of the Supreme Council was held in McAllen, Texas, on June 23, 1929. Here the advisability of adopting a uniform set of by-laws for the local councils was discussed, the amount and allocation of membership dues determined upon, and the President General was authorized to appoint organizers to create interest in new localities and to organize local councils. This latter power the President General has used with significant effect. New local councils have already been founded at Floresville, Sugar Land, Laredo, San Diego, Crystal City, Uvalde, Del Rio, and Eagle Pass.¹⁰ Thus the total number of councils is at present eighteen. Not all these councils have, however, got under way. Some, no doubt, have lagged behind, not because of a lack of enthusiasm but rather because of certain local conditions which will later be analyzed. The fact remains, however, that a tremendous interest in the organization and its purposes has been stirred up among the Mexican-Americans in all parts of Southern Texas. This interest is indeed remarkable in view of the hitherto existing lethargy among these people. The League of United Latin-American Citizens is, therefore, of extreme importance because it represents the first general attempt on the part of Mexican-Americans to organize themselves for the purpose of giving voice to their aspirations and needs as citizens of the United States. Being what it is, a pioneer organization, it has many difficulties in its way, and its future will depend upon

¹⁰Letter from President General Ben Garza to the writer, November 5, 1929.

how well it attacks and overcomes these difficulties. It is, therefore, in order at this point to present and analyze briefly some of the problems with which it is confronted.

V

GENERAL PROBLEMS OF THE LEAGUE

The initial difficulties involve matters of leadership, expansion, and the quality and quantity of members, upon the proper handling of which will depend the permanence and effectiveness of the organization. It is commonly thought to be a Latin, and particularly a Mexican, trait to make dramatic beginnings amidst a great show of idealism, enthusiasm, and unanimity, and then to lie back and let the undertaking thus launched go on for itself. Old Mexico has shown aptitude in framing constitutions which are paragons of logic and construction, but constitutions which do not work. After all, governments are of men and not of laws. It goes without saying that the success of any organization depends upon the men who lead it. With respect to the Mexican-American in general and the League of United Latin-American Citizens in particular, the question may well be asked whether or not the present leadership is adequate, or if not, is an adequate leadership possible of development? Regarding the present leaders of the League, it may be said that they are, in many cases, able and energetic, but the fact remains that the aim of the organization is high. Hence the application of the leaders must be ceaseless if any part of it is to be realized. Most of them, however capable of leadership, have not previously held important positions in similar organizations. As a group they are but trying their wings. They will be compelled, therefore, to use themselves and their talents to the limit. Moreover, they will have to be exceedingly careful in appraising and choosing the type of local leadership they can command, before consenting to the creation of new local councils, and they will have to strive constantly to recruit additional leaders from among the younger men who are coming on.

Nobody, better than the present ones in command, realizes the need for such recruitment. Education for leadership is therefore stressed. To make themselves valued and respected, one writer remarks, the United Latin-American Citizens must effect their own intellectual redemption by fostering education. This means,

to be sure, education for all of a better quality and greater quantity. Such will increase earning power, and, in consequence, will improve standards of living and elevate the political and social status of the Mexican-American in general. But for the exceptionally endowed representatives of the younger generation there must be provided education of collegiate and professional character. More lawyers, more doctors, more engineers, is the cry of the present leaders, and, it may be added, that some of the local councils are already influencing boys and girls to go on into higher education and are making plans to provide financial aid to promising ones who may need it.²⁰ It should be noted that at the present time there are thirty Mexican students enrolled in the University of Texas from the lower Rio Grande Valley region alone.

In all justice, however, to the present leaders it may be said that among their number there are to be found several lawyers of distinction, one of whom has given notable service in the Texas Legislature, another is serving in the State Department at Washington and a third is employed by the Mexican Consul in San Antonio. There are also a few representatives of other professions such as teaching and journalism. Some politicians and county office-holders are included. A few men who might be classed as small capitalists are members; some proprietors of fairly large business concerns and quite a number of merchants and shopkeepers and business men of various sorts. At least two men, who have devoted much time to the organization work of the American Federation of Labor, are among the foremost leaders²¹ and labor is represented in addition by some foremen of industrial plants. Moreover, there are some large ranch owners and not a few independent farmers. Thus the leadership, and indeed the membership in general, has been drawn from the middle class element. This middle class element, however, is lacking in any considerable number in some communities, where there are perhaps only a handful who could be depended upon to carry on the work of the League. Thus a lack of sufficient leadership in such localities should cause the League's officers to exercise care in establishing new councils. There has been a tendency,

²⁰Alonso S. Perales, "La Unificacion de los Mexico-Americanos," IV, *La Prensa*, San Antonio, Texas, September 7, 1929.

²¹Messrs. Clemente Idar of San Antonio, and E. H. Marin of Corpus Christi.

perhaps, in the organization to think more of expansion than of solidifying carefully enough the gains already made. Eagerness on the part of local groups to organize themselves as councils has been in a measure responsible for it, and with the result that a few councils, after the first enthusiasm was worn off, have tended to lag behind. This would suggest the need of more supervision from headquarters, not that such supervision, however, would be desirable in excess. The central organization must be ready to give sound advice as to how to apply the ideals of the organization to concrete local problems, but, after all, success depends upon the amount of energy and resourcefulness possessed by local leaders themselves. This is true, because the evils which the League seeks to remedy present themselves differently in each locality. In some communities one finds, for instance, more serious discrimination against the Mexican than in others. This depends in part upon the relative number of persons of Mexican extraction among the local population and in part upon the type of Mexican which predominates. It depends also upon the relative number of Mexican aliens in a community as well as that of recently settled Anglo-Americans who sometimes exhibit marked racial prejudice against the Mexican. In fact there are so many variations of local conditions that it is dangerous to generalize. Such conditions, therefore, must be studied and appreciated by a competent local leadership. In short, the general status of the Mexican-American in each community is different, and the method of attack must, on that account, be altered to suit each situation. The central organization may well consider this necessity and devote its attention to building strongly rather than too rapidly.²²

In addition to questions of leadership and expansion, the matter of the type of membership desired has assumed importance. In the first place, some Mexican aliens in Texas have criticized the League because, in limiting its membership to Latins who are American citizens, it has seemed to be exclusive in the sense that it leaves out the resident Mexican alien, whose social and economic problems are essentially those of the Mexican-American. Rather through the coöperation of the entire Mexican population, these

²²Information based on the writer's observation of local conditions and on conferences with leaders and members of the United Latin-American Citizens.

critics argue, can these problems be successfully solved. This argument was ably answered by one of the leaders of the League.²³ He stated that it was not the aim of the members of the League to segregate themselves from their racial brothers who are Mexican citizens. Practical policy, however, dictates that the Mexican-American can best improve the condition of all by using the rights which he, as an American citizen, alone possesses. By improving his own status, he will incidentally elevate the status of his racial brother and neighbor. "The day the Mexican-American better his own condition and finds himself in a position to make full use of his rights of citizenship, that day he will be able to aid the Mexican citizen in securing what is due him and to help him assure himself of his own welfare and happiness."²⁴ Mexicans coming to this country have noted, it is said, that their brothers who are American citizens are in a degraded political, social, and economic condition. They are in no way prepared to guide or assist the newly arrived alien either in learning the English language or in understanding American laws and customs. Moreover, unless the Mexican-American can gain adequate opportunities for himself in politics, commerce and industry, the alien Mexican cannot expect such opportunities.

Another consideration against a mixed organization of Mexican-Americans and Mexican citizens is that such an organization could only have a divided purpose. The Mexican citizen would be constantly drawn in his sentiments to the mother country, whereas the Mexican-American, while possessing reverence for it, must adjust himself as rapidly as possible to his environment in the United States. Such an organization also would be misunderstood by other Americans who would undoubtedly look upon it as a concrete expression of a stubborn refusal on the part of the Mexican-American to become a part of the country to which he belongs.²⁵

Regardless of all these considerations, it might still be argued that such an organization would aid greatly in persuading the alien Mexican to become naturalized and in preparing him for the status of American citizenship. Statistics show, however, that relatively few Mexican residents have submitted to natural-

²³Perales, *La Prensa*, September 6, 1929.

²⁴*Ibid.*, September 4, 1929.

²⁵*Ibid.*

ization.²⁶ The reason for this fact is that the Mexican sees nothing particularly attractive in the alleged privileges of American citizenship for one of his kind. It is perfectly evident that regardless of his naturalization he will still be considered a Mexican. He is in no way rescued from his lowly position nor is he freed from the contempt, abuses and injustices to which his race is often subjected.

So much for the question of the possible admission of the Mexican citizen into the membership of the League. There still remains another question relative to membership which involves a difference of opinion within the organization itself as to what Mexican-Americans should be considered eligible to membership. Some leaders would like to see the organization grow as rapidly as possible by admitting all American citizens of Latin or Mexican extraction who might desire to become members whether or not they should be in any way prepared to participate in the work of the organization. Once admitted, it is argued, they could be trained by the more enlightened members in the purposes of the organization. On the other hand, a majority of the leaders are opposed to this policy believing that the organization should take in only the most advanced element, thus making of itself a sort of Fabian Society, which would serve as a small nucleus of enlightenment, circulating its ideas among non-members and remaining a small concentrated group, unified in purpose, and better fitted to fight the battles of the less fortunate. It is further argued that a "hit and miss" membership would be one diluted in quality, which could only mean a general lowering of standards and ideals. Moreover, such a membership might easily fall a prey to a designing leader who could dominate it to further his own political ambitions, being able at election times to vote it *en bloc* in the old traditional way. Short of this, however, there might be those, who, believing that in numbers there is strength, would advocate the use of the membership politically to wield a sort of balance of power shifting to this or that political faction, depending upon where the best bargain for the Mexican-American could be secured. As a matter of fact, one of these two dangers, or both, are entirely within the range of possibility, if they have not already shown themselves in the case of two or three local councils. Most assuredly, either eventuality would conduce in

²⁶Hearings Before the Committee on Immigration and Naturalization, House of Representatives, Hearing No. 70.1.5, 1928, p. 80.

the end to a sacrifice of the ideals of the League and of its potentiality for permanent accomplishment.

The central purpose of the League is to avoid direct political action and the semblance of partisanship in relation to existing parties or factions. It has already been seen that it places a status of inactive membership upon its fellows who hold elective public office. Its fundamental aim is that of education in citizenship, which means the creation of voters who are intelligent and independent. The fight of the League, on the political side, is not a fight to undermine existing political leaders or organizations, but rather a fight against a system of political feudalism which has held the Mexican-American in its clutches. Existing political factions and leaders must not be unduly antagonized in this fight. All factions and all leaders must rather be persuaded that the Mexican-American has assumed a new attitude toward his duties as a citizen and demands to be dealt with accordingly. This, certainly, can be best assured by a complete avoidance of the appearance of trafficking in votes.

VI

ATTITUDE TOWARD POLITICS

Education for effective citizenship and not a Sophist's training in the tricks of practical politics is what the League has in view. Nor is it merely a matter of knowing how properly to use the suffrage. As one leader puts it: "The political field, contrary to general belief, includes more than the simple function of voting, for it means loyalty to country, the fulfilment of the duties and obligations of citizenship, the enjoyment of constitutional rights and prerogatives, administration of justice, etc.; all this must be included in the political phase of our evolution."²⁷ Another leader, writing more at length, says: "They (The League of United Latin-American Citizens) have formed an organization which will aid in our political, social and economic evolution . . . American citizens of Latin-American origin, and more particularly those of Mexican extraction, after having lived for generations in the southwestern part of the United States in constant contact with and under the influence of the mother race, have never felt with more intensity the obligation of utilizing their energies to make effective their civic value. How many of our race live and will

²⁷Perales, *La Prensa*, September 6, 1929.

continue living for some years to come with no comprehension whatever of the demands their civil status in America should make upon them. We hardly realize that Anglo-American civilization, customs and progress have already arrived in this frontier region of the South, and that the method of living and of conducting the affairs of life are very different from our own. . . . What is our imperative duty if it is not to study the obligations which, within law and justice, our government demands of us, and, in turn, the rights which that government holds out to us? But in order to claim our rights and fulfil our duties it is necessary for us to assimilate all we can that is best in the new civilization amidst which we shall have to live. This is one of the basic principles of the League of United Latin-American Citizens. . . ." He continues by saying that "there are moral needs which we alone can understand," and that there is a feeling in many Texas towns that the Texas-Mexicans themselves must fight to rectify the abuses which a bad leadership, political and otherwise, has foisted upon them. They must enjoy a propitious atmosphere in which to accomplish their complete development.²⁸

And, in accomplishing this purpose, let it be repeated, the League wishes to avoid partisanship. The constitution of the League²⁹ provides that "This organization is not a political club, but as citizens we shall participate in all local, state and national political contests. However, in doing so we shall ever bear in mind the general welfare of our people and we disregard and abjure once for all any personal obligation which is not in harmony with these principles. With our vote and influence we shall endeavor to place in public office men who show by their deeds respect and consideration for our people." This means, according to one leader, that the members of the League "will be actuated not as a part of a partisan political group, but as a band of intelligent, conscientious and honorable citizens who obey the laws of their country and who are resolute in their intention to elect to public office men who by their culture, honor, impartiality, and sense of justice are qualified to govern properly and well . . . the Mexican-American citizens have resolved to take a more active part in local, state, and national elections. . . . The suffrage is the most powerful weapon in which the Mexican-American places

²⁸J. Luz Saenz, in *El Paladin*, Corpus Christi, Texas, May 17, 1929.

²⁹Article II, Sections 12 and 13.

his reliance, but it is absolutely necessary that he learn to use it. . . . In past times some Anglo-American politicians of Texas have been accustomed to gathering together groups of Mexican-Americans on election day who have been told by some Mexican-American leader to go and vote for a certain candidate. The Mexican-American without concerning himself as to the qualifications of the candidates or their attitudes toward our race has obeyed."³⁰

With these quotations should be coupled another from a Mexican-American editor who says: "If a political organization is understood to be an association of unscrupulous individuals whose sole intention is to elevate to and maintain in public power some leader for the sole purpose of dividing with him the crumbs or scraps of the spoils of office, then our organization is not political and we will say it and repeat it as many times as may be necessary. Nor is it our purpose to combat directly the rotten condition of a bad administration, although naturally we may sometimes be obliged to raise our protest against such conditions in order to defend our individual liberty. . . . We hold that it is wrong for another person to fulfil for us the most sacred duty of man—the right to vote—and let us say it a thousand times, if necessary, in order to impress our personal opinion on some man or group of men—we do not care to be confused with those who are herded."³¹

This last statement, indeed, strikes at the heart of the existing political situation in some localities among the Mexican-Americans. They have been influenced (to put it mildly) for voting purposes by Anglo-American leaders and by leaders of their own race. One political leader, who is alleged to be a boss, upon hearing of the formation of one of the local councils of the League within his bailiwick, addressed a letter to "My Mexican-Texan Friends" in part as follows: ". . . I have been and still consider myself as your Leader or Superior Chief . . . I have always sheltered in my soul the most pure tenderness for the Mexican-Texan race and have watched over your interests to the best of my ability and knowledge. . . . Therefore I disapprove the political activity of groups which have no other object than to organize Mexican-Texan voters into political groups for guidance by other leaders . . . I have been able to maintain the Democratic Party

³⁰Perales, *La Prensa*, September 9, 1929.

³¹*El Paladín*, Corpus Christi, Texas, May 17, 1929.

in power with the aid of my Mexican-Texan friends, and in all the time that has passed we have had no need for clubs or political organizations."³²

In their reply to this public pronouncement, the local council in question apprised this leader of its purposes in a published statement. The fundamental basis for organization, the reply stated, was "the propagation of democratic doctrines and the instruction of members in their civil rights and political obligations. . . . We attack nobody; we censure nobody; we are prejudiced against nobody."³³ In closing the statement they reprinted in full the aims of the League. The discussion was not continued and this particular council continues its work. Apparently, the leader in question was convinced. Other political leaders have not engaged in similar exchanges of notes. Where they have opposed it, they have used a less direct method of attack. Some, however, have ignored the organization; others have either openly given local councils their blessings or have, in one or two instances, affiliated with them, either because they have suffered a change of heart or have seen in the League a chance for their own advancement.

All contacts with practical politics, however, the League does not desire to avoid. It welcomes politicians and office-holders, and, indeed needs their aid, provided it is not their desire simply to use its organization as they would a political club. Moreover, the League will no doubt be forced to assume, and will desire to assume publicly, certain attitudes toward inequalities to which it is opposed. It will demand representation in the affairs of communities proportionate to the voting strength of the Mexican-American citizens, such as representation in city councils and county commissioners courts. This, of course, the Mexican-American already is accorded in some counties, notably Starr and Zapata counties, but in most instances the Mexican-Americans hold only subordinate or clerical offices. In seeking additional representation, however, the appearance of mere job-hunting must be avoided. Too many office-holders of Mexican extraction, perhaps, are already the mere tools and underlings of the Anglo-American office-holders who reserve most of the policy-framing posts for themselves.

³²*Hidalgo County Independent*, Edinburg, Texas, March 8, 1929.

³³*Ibid.*

In demanding a greater degree of equality for Mexican-Americans, most of the leaders of the League are apparently agreed that a mere doctrinaire equality is not what they seek. Some resent greatly, of course, such discriminations as school segregation where it exists. In many communities such segregation is a matter of accidental circumstance rather than of public policy or legislation. These leaders understand this fact, and they realize as well that the Mexicans, on the whole, desire to keep to themselves. What they really demand is equal school facilities which Anglo-American school authorities often deny them. This includes buildings, equipment and teachers. Such matters as equal rights to enter theatres, restaurants, hotels, and other public places are largely controlled by local customs, which vary greatly from place to place, depending upon the local relationships of the two races. This question is, indeed, viewed quite sensibly by many members of the League, who realize that education, improvement in dress and the like among Mexicans will earn them these privileges. The rectification of such discriminations is not usually subject to legislation, and can only be brought about by a change in community attitudes and customs. By tactful persistence the League can help along such a change.

Equality before the law is certainly a very just demand. This involves equal consideration at the hands of peace officers, public officials in general and courts of law. Crimes against Mexicans should be prosecuted with an energy equal to that used toward crimes against the Anglo-American. Mexicans should be given equal protection in their property rights. When causes are in the course of trial which involve their racial brothers, educated Mexican-Americans should have the right to serve on juries. In these matters, however, as in other matters, much depends upon the Mexican-American himself. He must know English; he must be reasonably informed as to the law; and when called upon he must be ready to testify in a straightforward and independent manner. It is notorious that Mexicans in general, largely because of ignorance or fear, are not trustworthy witnesses.

In conclusion, it may be said that educated Mexican-Americans in general as well as the members of the League of United Latin-American Citizens, are agreed that the problems with which they and their racial brothers are faced in Texas and the United States have been created quite as much by their own deficiencies as by the deficiencies of the Anglo-American in his dealings with

them. The fundamental problem has resulted from the impact of two races and two civilizations. In order, therefore, that these people may be able to stand their ground, they must correct their own deficiencies, resulting from ignorance, docility, and prejudice against the Anglo-Saxon and his ways. And doing such, they must show him that they can meet his standards and hence can demand his rights. Thus, without sacrificing the best of their racial heritage, they can remove his racial prejudice.

INTERNATIONAL REGULATION OF NATIONAL ACTION FOR SELF-DEFENSE*

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At one point in the negotiations which led to the conclusion of the Briand-Kellogg Peace Pact, or the General Treaty for Renunciation of War, as it is known officially, Mr. Kellogg declared that "every nation is free at all times and regardless of treaty provisions to defend its territory from attack or invasion" and that "it alone is competent to decide whether circumstances require recourse to war in self-defense." He continued: "... Express recognition by treaty of this inalienable right, however, gives rise to the same difficulty encountered in any effort to define aggression. It is the identical question approached from the other side. Inasmuch as no treaty can add to the natural right of self-defense, it is not in the interest of peace that a treaty should stipulate a juristic conception of self-defense since it is far too easy for the unscrupulous to mold events to accord with an agreed definition." Mr. Kellogg was, of course, explaining the omission from the Pact of any provision which would either confirm, define, or limit the right of self-defense.

At another point in the negotiations, when invited to adhere to the Pact, the Government of Colombia replied that such action on its part would be difficult if the scope of the pact were not extended so that its renunciatory provision would apply to intervention and military measures short of war as well as to war itself. These other forms of national military action in self-defense were varied in character and included military occupation and reprisals of various kinds, but they were all to be condemned in the opinion of the Government of Colombia.

Finally, back in 1923 the members of the League of Nations were somewhat startled to have it drawn to their attention that the provisions of the Covenant of the League which aimed at the maintenance of peace, being phrased in terms of war itself, did not prohibit other forms of military action in defense of national rights, such as bombardment and military occupation of territory.

*An address delivered before the Southwestern Political and Social Science Association, Austin, Texas, March 29, 1929.

The Italian action in Corfu, being not war but something short of war, was not outlawed by the Covenant.

All of these incidents and many others which might be cited from the history of international relations in the past decade pose for students of international affairs today a very critical question. That question might be stated thus: may a nation have recourse to war or to military measures short of war at its own discretion merely because it believes itself to be acting for its own self-defense; or, conversely, is it possible, in view of all relevant considerations of legal principle and practical politics, to establish some degree of international regulation of national action for self-defense, in spite of what Mr. Kellogg said and in spite of the spectacular silence of the Briand-Kellogg Pact upon this subject? Is the right of national self-defense a sovereign prerogative beyond the reach of law?

There are at least two ways in which it is conceivable that the right of national self-defense might be limited. It might be well to have these logical possibilities stated before beginning an examination of what has actually been done in this matter in the past and before exploring what may be done in the future.

There might be set up, in the first place, by international agreement, certain standards respecting the circumstances in which or the grounds upon which such action would be permitted. The degree of danger or of actual injury to a state which would justify military action might be defined so as to restrict the exercise of national discretion in the matter. This is, in the main, precisely what has been done in national law in regard to the exercise of physical means or methods of self-defense by the individual. We allow the right of self-defense to be retained and exercised by the individual, but we define the circumstances in which it may be invoked.

Second, the law of nations might define the kind of action which a nation might take in self-defense and the extent to which it might be carried. The law might define the permissible methods of conducting hostilities and the kind of satisfaction which might be exacted. This method of regulations is also employed in the law regulating relations among individuals and it constitutes a form of restriction nearly as important and significant as the preceding.

It might be suggested by many that a third form of restriction might be imposed. Thus, it is suggested that some degree of actual

international supervision might be imposed at the beginning, during the course of, and at the end of, the action for national self-defense. In some ways this would appear to be the most striking possible form of regulation in this matter, but upon analysis it will appear that such supervision would add nothing to the two preceding forms of restriction except a means of enforcing those restrictions. This type of regulation is very prominent in the field of individual relations but its significance in point of legal principle is not as great as would first appear.

In the past the international regulation of, or the establishment of rules of law relating to, recourse by a nation to physical force on the ground of self-defense, has taken both of the two forms just cited. Restrictions have been adopted respecting both the inauguration and the conduct of military action and this whether it be war or something less than war that is contemplated. Inasmuch as one of the main points to be established here is the existence of any international regulations in the matter at all it would be well to review the history of the process in detail.

To begin with, in the very earliest days of modern international law jurists and practical politicians alike concerned themselves with the distinction between a just and an unjust war. International law and national policy were both formulated with some speculative consideration for standards of social justice, and men seriously debated whether a nation would or would not have a right to go to war under certain circumstances. These considerations probably had as much influence on national action as did any other rules or principles of the nascent law of nations. At all events it is clear that in and from its earliest days international law has known such a problem as the question of a right to go to war.

The change of method in the formulation of international law which took place in the later seventeenth century, whereby speculation and deduction were replaced by observation and induction, undermined the conclusions previously drawn concerning just and unjust wars. The problem had not yet been studied by the new method—as, indeed, it has not yet today been studied by that method. Hence, attention was turned to subordinate phases of the right to make war.

For the next two hundred years or more the chief form of limitations imposed by the law upon the right to make war related

to the conduct of hostilities. Although acting in self-defense entirely, the nation was limited, more and more closely as time went on, in the materials or types of weapons which it might employ, in the personnel it might recruit for its military forces, and in the methods of military action or activity it might adopt toward combatants or civilians in neutral or even enemy ranks. Limitations upon armaments and their use constituted also, *pro tanto*, limitations upon the right of self-defense. Lieber's Code limited defense of the Union.

Soon limitations were extended to the results, in kind or extent, which might be sought and obtained from military action even in self-defense. The methods of treatment which might be imposed upon prisoners of war, the inhabitants of occupied territory, their property, and other objects or victims of conquest, were restricted. No matter if a nation were acting in self-defense it might not exterminate war prisoners or enemy noncombatants, or confiscate their property in enemy territory. Finally limitations were devised to restrict the action of this nation in annexing conquered territory; respect must be shown for private rights, option of nationality was to be permitted, perhaps even a plebiscite should be held. Many limits were imposed on national action at this point.

All this had taken place under the regime of the customary law, in the days before international constitution-making and international legislation were adopted as methods of international action. With the coming of international regulation these restrictions were reduced to code form. Hague conventions restated the rules of the law of war. And finally territorial conquest was in law abolished by the Covenant of the League of Nations for all Member States; similar action has been taken for the Americas by Pan-American convention. Many other examples might be cited.

There are two queries which may be raised by the skeptical student of the problem in these premises. Are these restrictions really restrictions upon defensive action properly considered? And are they not merely regulations of incidental and subordinate phases of the problem, leaving the primary element, namely, recourse to war or violent action in the first place, untouched? The questions are fair questions although they lead to unexpected conclusions.

The bulk of the restrictions imposed on national action as reviewed above are not in truth restrictions upon any proper action of self-defense, but upon abuse of that right. This, however, is just exactly what is needed, rather than restriction upon true defensive action. Moreover, restricting national discretion by defining true defensive action, as is done in these limitations, means in the end determining what in essence constitutes self-defense, which is the heart of the whole matter.

Second, it is also true that the foregoing limitations apply to the conduct and conclusion of the alleged defensive action rather than to its inauguration. But again this is exactly what is most important. Here life and history have been wiser than our speculative governmental reformers who would center on restricting recourse to military action. What matter if freedom of recourse be left open if the things which may be done in the course or as a result of such action are restricted? The actual application of the right, not its invocation or enjoyment in principle or in general terms, is what needs regulation.

One further general consideration might be examined before passing on to the still more significant aspects of the situation. Just what is it that is to be defended by a nation in that concept of the national "self?" What constitutes "self"-defense in relation now not to method but to the objectives or the purposes to be served?

Obviously the repelling of an invasion of a nation's metropolitan territory by another nation would be regarded by all students as proper self-defense; some day an international police force might have a right of entry into national territory for execution of international authority but today even if the invader had just cause for war we should regard resistance as properly "defense." There would probably be slightly less doubt about defense of colonial territory; British defense of the Bahamas against an attack from the United States would be clearly legitimate even if British "defense" of India may seem to have certain dubious elements involved in it. It is when we come to "defense" of territory not under the sovereignty of the state taking the action or defense of interests and rights of that state which are not territorial in character that the problem becomes most difficult. Defense of Panama by the United States, the execution of the Monroe Doctrine in general,—in its strictest scope, of course,—is this properly self-defense? The answer would seem to be that this

action is truly defensive if it violate no rights of other nations and if the actions of other nations contended against do in fact menace the safety of the state taking the action; whether decision on this point is to be left entirely to the latter we shall inquire in a moment. Finally the same standards would presumably apply to the defense of the non-territorial rights and interests of a state; defense of its nationals abroad, and their rights and interests, would seem to be proper national defense unless carried to illegal extremes or based on fancied injury. Even less tangible objects of proper national defensive action may be imagined; the crux of the problem is not the subject-matter defended, but the legality of the steps taken and the reality of the actual or threatened injury.

Limitations upon the right to resort to war had practically disappeared between 1648 and 1898 A.D. This was true for aggressive as well as for defensive war, but inasmuch as, in later years, it came to be assumed that no nation would resort to war except in defense—war which is defensive in character on both sides not being the logical impossibility which it is apparently considered by hasty and superficial critics of nationalism and the national state,—this liberty of action came to be thought of as a liberty or right of national self-defense, and is almost certainly what Mr. Kellogg had in mind in making the statement quoted at the beginning of this paper. By 1898 nations would hardly tolerate any restraint or delay on the right to go to war, in self-defense or otherwise.

In the past thirty years all this has changed again. Indeed, it has changed in the past twenty years, and more extensively still in the past ten. No change in the right to have recourse to war—even in self-defense, let it be repeated at the risk of some tedium—was successfully made at The Hague in 1899 in spite of efforts in that direction, or between that time and 1907. Then came two agreements which at least indicated a turn of the tide. A convention generally signed at the Second Hague Conference and widely ratified required a declaration or warning prior to the commencement of hostilities; no period was stipulated between declaration and inauguration of war but the principle was clear. More important by far was The Hague convention, also widely signed and ratified, whereby the nations agreed "not to have recourse to armed force for the recovery of contract debts claimed from the government of one country by the government of another country

as being due its nationals," subject to certain limitations; in principle this was a revolutionary return to the problem of just cause abandoned two centuries previously. Again nothing happened for seven more years and then in 1913-1914 came the action of the United States in concluding the most drastic agreements limiting national action for self-defense which the world had ever seen, the Bryan treaties whereby the United States agreed with twenty or thirty other nations not to go to war against one another until a year after reference of a dispute to a commission of inquiry or conciliation—and all disputes were to be so referred! Certainly this was a landmark in restricting recourse to war—even in self-defense. One of these treaties was to serve very definitely, although unostentatiously, in 1916, to avert an imminent conflict between the United States and Great Britain.

Another seven years, very nearly, were needed to bring the European nations up to the point of taking similar action with one another, years filled with war and bloodshed; then in 1920 there was put into effect the Covenant of the League which restricts recourse to war, even for what the nation believes to be self-defense, in several different ways: by imposing delay, by requiring arbitration or adjudication of justiciable questions, by requiring acceptance of a recommended settlement under certain circumstances in political disputes. And since 1920 many bilateral treaties and certain general conventions and agreements such as the treaties of peace of 1920-1923 (outside of the Covenant), the Locarno treaties of 1925, resolutions adopted by the League Assembly in 1927 and 1928, and Pan-American resolutions and conventions of 1928 and 1929 have further restricted the right of recourse to war *even for what the nation may believe to be purely defensive reasons*. The final stage reached has been an effort to distinguish the aggressor from the nation acting truly in self-defense in order that a general and final ban may be placed upon national action even when the nation believes that it is acting in self-defense unless that fact is attested by something beyond the nation's own opinion; to this it were better to return in another connection, but it shows how far the tide has turned.

Indeed, so many and so serious have become the restrictions on the right to make war in recent years that it is military action short of war which demands attention today. Hence the surprise at Geneva in 1923 and the comment of Colombia on the scope of

the Briand-Kellogg Pact, already cited. What is most needed today is therefore outlawry of intervention and reprisal or of international violence short of war.

Historically the story to be told here is the same as was told in the case of war itself. In the course of the long development of customary international law many restrictions were imposed upon military action short of war; not merely did all of the restrictions upon the conduct and termination of hostilities already reviewed apply here as well as in case of formal *de jure* war; many restrictions have also been imposed directly and explicitly upon recourse to intervention and reprisals—even in self-defense.

Thus it is fairly well agreed that no nation may as such proceed against another, even by way of diplomatic demand, in cases of alleged injury to nationals of the former in the jurisdiction of the latter, unless there has been a "denial of justice" in the courts of the latter, as that technical phrase is commonly understood. There is the further principle that a nation is bound to exhaust all pacific means of redress before having recourse to violent measures; the central idea of this principle has been given a very significant application recently in another connection, as will be seen. There is the rule that a certain type of intervention—direct action to abate an international nuisance, it has been called, such as action to dispel a band of marauders gathering in neighboring territory prior to an inroad upon the state taking action—may only be employed in face of imminent danger, "immediate, unescapable, and for which no other remedy is available." There is the principle of non-intervention in the domestic affairs of another nation, which may not in strict logic apply where the former nation or its interests are involved, and where thus an international question is raised, but which by contagion operates to restrain even legitimate intervention. Finally, as regards conduct of pacific violence there is the rule that reprisals, even if undertaken, must be proportioned to the injury in consideration of which they were undertaken; and various and sundry limitations upon the conduct of pacific blockade, embargo, and other forms of reprisal or retortion. Here, as in the question of recourse to war, history and contemporary practice give an unequivocal answer to our original question. It is, it has proven to be, possible to regulate by international agreement national recourse, at discretion, to military action for alleged self-defense. Many such

restrictions have been imposed in the past, some of which have almost extinguished the substance of the right. Certainly it has been clearly established in principle that such restrictions may be imposed. The implication of Mr. Kellogg's remark and the substance of it were simply not in accord with fact.

It may be permissible to interpolate an explanation or comment at this point before resuming and concluding our study. Mr. Kellogg, quite clearly, in the remarks quoted, was speaking from political and not scientific motives. As grateful as we may be for the Pact for what it accomplishes we might better remain alert to all the facts of the case. Mr. Kellogg was himself well aware that national discretion in the matter in question was subject to scrutiny by the international community. He declared in the very next sentence following after the statement first quoted: "If it (the nation) has a good case the world will applaud and not condemn its action." He denied that any treaty could "add" to the right of defense but he also falsely implied that it could not subtract therefrom. He maintained the discretionary theory in spite of this admission and he refused to admit into the Pact a statement and a definition of self-defense because of motives of policy: he did not wish to become involved in the League discussions of the true limits of defensive war, to accept the League test of aggression, to—as would have been involved therein—accept obligatory arbitration or conciliation between the United States and European nations. He may have feared Senate opposition; he may have been opposed to such action himself. In either case his attitude was deplorable. He might well have been more robust of spirit toward both Europe and the Senate. He could have carried the Senate and fought Europe, in diplomatic interchange, for our rights, if need be. He was, in a time of unusual opportunity, guilty of a great inadequacy.

For the future the steps to be taken are clear. Limitations on the right to make war, as complete as they are today, still need further development, and limitations on pacific violence need to be developed greatly.

Thus unless it seem possible to eliminate war entirely,—nay, unless it appear possible to eliminate military operations entirely from the relations among the nations,—it must be necessary to revise the laws of war or the rules regarding military operations on land and sea. If the ban upon conquest stands, the principles

regarding option and plebiscite may be allowed to drop except for non-violent transfers, which are not in question here; otherwise these principles also must be developed and perfected. These are difficult tasks, but unescapable.

Further development of disarmament agreements is, of course, to be expected also, in close connection with the foregoing. Anti-gun-toting measures have been one of the most familiar and effective forms of restriction upon excessive action for self-defense among individuals.

Finally, the agreement not to resort to war, *without express exception for the right of self-defense*, is bound to increase; such were the Bryan treaties, the Covenant restrictions on the right to make war, and even the Briand-Kellogg Pact itself, save for the phrase "as an instrument of national policy." We have probably reached that point in the evolution of restriction on self-defense; neither specific nor general reservation is made of that right in so many words today. That is because the right is assumed to be reserved except in so far as elsewhere limited by law or agreement. The next step obviously is to expand those other rules of law and agreement and to define with precision the sort of defensive action open to a nation in face of what it believes to be danger to its safety or interests, and this whether by war or violence short of war.

Not much is to be hoped for in the future from the principle of non-intervention in domestic questions. Purely domestic questions are decreasing in number and excuses for intervention in what were formerly domestic matters are increasing. International regulation on these same topics is also increasing, however, and hence the balance of gain and loss may remain fairly even here.

It is in the restrictive definition of imminent danger to a nation or its nationals that most may probably be accomplished in the near future. Invasion of territory is the clearest ground for defensive action but could not be accepted as the sole ground. Actual danger to lives of nationals abroad must always be included. Probably this is the extreme limit, however, or at least it will be so regarded in the near future. Property damages may be compensated. The doctrine of no diplomatic or other intervention in absence of denial of justice grows stronger. And finally the doctrine that pacific means of settlement must be exhausted before recourse is had to violence, a doctrine which

originated in the form of a restriction on intervention and which takes the place of discussions of just or unjust causes in substance, but which may also be applied to distinguish the defensive from the aggressive nation, must be—as it is today being—strengthened and applied to both sets of circumstances. It is here that the United States will have its greatest battle to fight—with itself or its extreme nationalists. It must be agreed that no nation may have recourse to arms in alleged self-defense, or that no allegation of self-defense will be accepted as justifying recourse to arms, by way of reprisal, intervention, or war, unless and until all pacific means of settlement have been exhausted, including litigation in national courts, diplomatic negotiation, conciliation, or adjudication, as the case may permit. The lingering and perhaps resurgent idea that “self-defense” constitutes an exception to the principle of outlawry, as applied to either war or intervention, is false as fact of history, pernicious as policy, and unsound as law.

THE POLICY OF THE UNITED STATES IN THE PACIFIC*

By J. Q. DEALEY

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I

AMERICA'S PLACE IN THE PACIFIC

If one were to express in few words the dominating policy of the United States towards the Pacific and the Far East it would be best conveyed in the words of Thomas Jefferson in announcing the policy of the United States to all the world—"Peace, commerce, honest friendship with all nations." The United States has been fairly intimate with the Pacific world for over a century but up to rather recent years its interests were relatively small and its ignorance of oriental situations was profound. In early years American sailors traveled over the Pacific in search of whales, guano, and the products of the South Seas and the Orient, visiting the many island groups and cultivating more especially friendly relations with Hawaii. Through Captain Gray's discovery of the Columbia River in 1793 the United States in later years laid claim to the Oregon country.

For the first seventy years of national history we had no possessions on the Pacific except this vague claim to the Oregon country, but then came in rapid succession the seizure of California from Mexico, the settlement of the Oregon boundary by treaty with Great Britain, the purchase of Alaska, the annexation of Hawaii, the conquest of the Philippines from Spain, the acquisition of part of the Samoan group and last but not least our rights by treaty in the Panama Canal zone. Thus within a period of about sixty years the United States had become one of the greatest of the Pacific powers in extent of territory fronting on the Pacific Ocean. During this same period we made treaties of friendship and commerce with oriental states, more especially with China, Japan, and Korea, aiding in the opening of these to western civilization.

Within the last thirty years a great change has taken place in men's attitude towards the Pacific. The march of empire, as we

*An address delivered before the Southwestern Political and Social Science Association, March 29, 1929, at Austin, Texas.

used to say, is steadily moving westwards. The Atlantic has ceased to be the center of interest and the world of the Pacific with its bordering lands, now occupies men's minds. Our "farthest west" is no longer the Pacific coast, which has become the East, for the far west now is the Asiatic shore with the Australasian lands to the south. Within this Pacific world for the remainder of the twentieth century important developments are taking place as China enters definitely into the family of nations, as Australasia seeks to hold its lands for a white civilization, and as the almost boundless natural wealth of Siberia and of the Pacific slopes of Latin America come into use. Within less than two generations the problems of Europe will seem petty by comparison with those that even now are rising into prominence in the far west of the world of the Pacific.

II

CHINA

The center of political interest in the Pacific at the present time is of course China. Two or three thousand years ago the Chinese were highly civilized when our ancestors were half-naked barbarians. They at their height were philosophic, aesthetic, warlike and strongly commercial, showing also remarkable inventive capacity. They traveled as far as Rome and the Red Sea and were at home in the East Indies, readily absorbing and assimilating the peoples whom they conquered and held under tribute. In later centuries they found foreign contacts demoralizing and became satisfied with what they had attained, becoming static. The nineteenth century forced upon China to some extent European and western contacts so that now the older civilization is trying to readjust itself to newer situations. China proper, the eighteen provinces, is for the most part highly fertile, well-watered, aided by a magnificent system of canals, and has a wealth of natural resources in its western provinces as yet hardly touched. Its population is over four hundred millions, one-fourth of the human race, a hard-working industrious people, prolific, hardy and with great mental capacity when given opportunity. Naturally China had great prestige in the East and was easily supreme under ancient conditions of warfare, but by the end of the nineteenth century Japan had adapted itself to western civilization and had specialized in the art of warfare, having an efficient army and navy. The two powers came to blows in 1894

and China was defeated and had inflicted on it a humiliating peace.

At once the Great Powers of Europe saw their opportunity and each marked out for itself a sphere of influence and demanded territory as prospective bases for future aggressions. By 1900 the situation was such that the United States saw that soon China might be divided among the Powers and American commerce in China barred out. Secretary Hay at this juncture proposed that the Powers severally unite in keeping China open to the world's commerce and in guaranteeing its political integrity. Somewhat unwillingly this was done, in form at least, and thereby the United States had developed a policy towards China itself—the preservation of the open door and the political integrity of China.

III

JAPAN

From that time things moved rapidly in the international world. In 1900 Germany challenged England's naval supremacy by its navy program of that year, but England's reply was to concentrate quietly its fleet in home waters and to depart from its policy of isolation by forming alliances. In 1902 was formed the famous British-Japanese alliance which lasted twenty years. Because of this treaty Great Britain withdrew the major part of its fleet from Asiatic waters leaving Japan the sea power of the West Pacific. The alliance with England enabled Japan to war against Russia, to defeat it, to supplant it in southern Manchuria, and to seize Korea in 1910. Japan had become eager for an empire on the mainland and was securing it as rapidly as possible. Its argument was that it needed additional territory for the expansion of its population and also was in need of raw material for its new industries, Japan itself being poorly supplied with natural resources, such as coal and the metals. In 1911 China, weary of governmental inefficiency, became a Republic thereby passing from the frying pan into the fire since factional disputes have existed ever since. The World War affected the East also and Japan as an ally of Great Britain promptly ousted Germany from the Caroline Islands and from Tsing-tao, remaining in possession and expanding westward in the Shantung peninsula. In 1915 it presented the twenty-one demands to China, followed by an ultimatum, and as the result

of these and further manipulations of the next three years, Japan at the close of the war was practically in control of China, though in theory it was under pledge to guarantee its integrity and to maintain the open door. In 1917 by secret treaties with the Allies and the Lansing-Ishii Agreement with the United States it had virtually got absolution for its misdeeds, and pledges that it might keep its gains unmolested.

At the end of the war, the European powers were too exhausted to trouble themselves about the Far East, and the United States was too absorbed in the discussions centering about the Treaty of Versailles and the subsequent presidential campaign. Meanwhile, Korea, relying upon President Wilson's advocacy of the rights of oppressed nationalities had demanded freedom (1919) and was cruelly punished in consequence. Japan was supreme in the Far East, holding East Siberia in addition to its holdings in China and Korea, and was even meditating on the possibility of a war with the United States, then expected by many expert politicians in the Far East and in Europe. It was feverishly building up its navy, hoping to be able to cope in home waters at least with the United States, which was then planning the accomplishment of its "greatest navy" building program.

But hard times came upon Japan. During the war it had become wealthy through its carrying trade and the sale of its manufactured goods, but much of this business left it when the war was over and a financial crisis came on. China used against Japan, under student leadership, the economic boycott, an efficient weapon against a nation relying upon its trade. Japanese outrages against Korea leaked out and aroused resentment in the civilized world. The East Siberians were exploited and oppressed and in consequence hated all things Japanese. The situation in China was such that the United States had an uneasy conscience remembering its open door policy and its paper guaranty of political integrity. The victorious allied powers were not over friendly to Japan, realizing that it had suffered least and gained most of all those in opposition to the Central Powers, and Great Britain itself, though still in alliance and officially pronouncing honeyed words about Japan, was at heart eager to dissolve the alliance, which had fulfilled its purpose and now had become a handicap. There was the fear that in case Japan and the United States went to war Great Britain should in theory maintain a friendly neutrality to Japan if it did not openly side with it in

war. In fact, by the year 1921 Japan had not a friend in the world; it had selfishly gained its war objectives but in the process it had lost its international soul.

IV

WASHINGTON CONFERENCE

It was at this crisis in the Far East that our administration headed by President Harding and Secretary Hughes, having the hearty support of the British government, sounded the several powers interested in Pacific problems and invited them to a conference at Washington. Japan did not dare to refuse yet accepted unwillingly, stipulating that past actions should not be questioned and that present and future problems only should be considered. In calling the Conference, the United States had several objectives in mind. It desired to stop competition in naval constructions, to safeguard the interests of China and of Siberia if possible, to maintain peace in the Pacific and to break up the alliance between Great Britain and Japan. Incidentally the administration was also desirous of maintaining for itself an open door to the mandate islands in the Pacific taken from Germany and already had made its claims in respect to those in mandate to Japan, including the island of Yap. Japan at first was unwilling to admit the claims of the United States, but when the Conference was called it saw the wisdom of removing possible causes of friction and therefore came to terms while the Conference was in session, granting to the United States practically all it wanted.

A much more serious cause of friction was the question of sovereignty over Shantung. Shantung is China's holy land, the home of Confucius and the place of their early settlements, quite like the Atlantic Coast to the United States, from Maine to Georgia. Japan by aggressive policies had greatly enlarged its holdings in Shantung and held it as the strategic center from which east China might readily be conquered when necessary, since the main railroad between Shanghai and Peking runs through Tsinan-fu, the capital of Shantung, which was in the military possession of Japan. China was insistent that Shantung be returned to its sovereignty and the United States was deeply sympathetic and so also was Great Britain. Side by side, therefore, while the Conference was going on, the Chinese and Japanese, aided by suggestions from Hughes and Balfour, sought to

come to terms respecting the surrender of Shantung. This dispute had become the center of the whole situation and it was known that unless that matter was settled satisfactorily the results of the Conference would be negatived. Finally a compromise was effected, all gave a sigh of relief, and the Conference settled down to work.

When the Shantung trouble was out of the way results in the form of treaties came rapidly. It is hardly necessary to dwell on these for they must be well known to this audience. The naval ratio in capital ships and airship carriers placed Great Britain and the United States on the same basis, yet gave Japan a ratio amply sufficient for defense, but not for attack at any distance away from home. Minor treaties respecting the use of submarines and gas in warfare were also adopted. The Four-Power Treaty dissolved the British-Japanese alliance and incidentally gave guaranties for the maintenance of the *status quo* for the island possessions of the four powers, excepting Japan proper. The non-fortifications provision in the naval treaty created a neutral zone in the central west Pacific within which the powers concerned should erect no additional fortifications; this barred out further defense for Guam and the Philippines, as far as the United States is concerned. Then the Nine-Power Treaty and the Customs Tariff Treaty for which ratifications were not exchanged until August 5, 1925, redefined the open door policy, making it more specific, and secured for China certain concessions and safeguards against further exploitation. As for Russian interests Secretary Hughes in open session strongly urged upon Japan the wisdom of evacuating its troops from Siberia, according to the agreement made in 1918.

Taking the Conference as a whole it was one of the most successful ever held, largely owing to the hearty coöperation of Great Britain with the aims of the United States. England was freed from naval competition in capital ships and from the alliance with Japan, the United States, though it had to make concessions, in general obtained its objectives though not in so complete a form as had been hoped. Japan on the whole came out of the Conference with greater gains than it had hoped. It was relieved from naval competition and the immediate danger of war, it was left the supreme naval power in the northwest Pacific through the non-fortifications agreement, and was once more restored to the fellowship of nations. It had to make concessions, notably

in its withdrawal from Shantung, but it got well paid for this under the terms of the agreement. It was practically left in possession of its gains in China, more especially in Manchuria; its dealings with Korea were not called in question, and no compulsion save that of public opinion was brought to bear on it in respect to Siberia. The loss of prestige through the dissolution of the alliance with Great Britain was in part compensated by the Four-Power treaty, which in form seemed just as good, but as one Japanese put it, it was an exchange of good whiskey for water.

SITUATIONS AFTER THE CONFERENCE

The results of the Conference apparently brought about a change of policy in Japan. The decision reached was to work in unison with Great Britain and the United States which obviously were in accord on the problems of the Pacific and the Far East. In harmony with this it sought to cultivate Chinese friendship, relaxed somewhat its harsh treatment of Korea and determined to withdraw its troops from Siberia except North Sakhalin which it held as security for its claims. Then came the great earthquake and fire in 1923, which greatly depressed the morale of the Japanese since nature itself seemed to war against them. A heavy loan had to be made in foreign countries to meet existing situations and business depression and labor troubles compelled concessions towards a more democratic system of suffrage. Japan in the year 1924 felt humble by comparison with its exaltation in 1918.

Then unexpectedly came that severe blow to its dignity and national pride, the passage by the United States of the exclusion act against oriental immigration, including Japan. For a time Japan hardly knew what to do. Had it been able it would almost certainly have declared war, but war was out of the question. It made its official protest, swallowed the insult as best it could, and made the date, July 1, its day of humiliation when every Japanese should remember that on that day the United States inflicted on Japan a mortal insult for which no atonement has been made. Japan is hoping that on further consideration the United States will see that an injustice has been done and will rectify the blunder. On its own part it has amended its law of citizenship so that the claim of double citizenship can no longer be made. It desires the United States to place it on the same quota

basis as other nations which would limit the immigration of Japanese into the United States to 146 per year. It further desires that the prohibition of naturalization for Japanese be removed seeing that there would be so few likely to apply for the privilege. It desires in other words that the Japanese be given the same rights as are given to other civilized nations. In my opinion this desire on Japan's part has justification. In civilization it is fully equal to or better than that of half Europe and its quota of admission would be so small that those of its citizens wishing naturalization could safely be granted it.

V

THE SITUATION RESPECTING CHINA

China after the Conference was exultant over the return of Shantung but depressed that so little else had been done to meet its expectations. Meanwhile many of the younger Chinese in touch with western ideas had become strongly nationalistic and demanded China's freedom from foreign control. Russia recognized the situation and by the Treaty of 1924 gave China on the face of it generous terms and a full recognition of sovereignty. Japan recognized a danger in an entente between China and Russia and hastened to push negotiations with Russia, with the result that the two countries buried the hatchet, adjusted their grievances and renewed diplomatic relations, Japan withdrawing from North Sakhalin in return for valuable mining and oil concessions.

Dr. Sun Yat-sen at Canton soon after Russia's treaty with the Peking government, opened communication with the Soviet government and secured assistance from it in the form of experts in finance, government, and military affairs. Unfortunately, in an attempt to come to terms with the Northern leaders, he went to Peking but became ill on the journey and died in that city March 12, 1925. His death, however, enormously increased his influence, making him a national hero. His three great principles of democracy, a government of, for, and by the people became the platform of the Nationalist party, which during the next three years by force of arms first consolidated itself in the south and then pushed northward, finally winning theoretical supremacy over the whole of China, and making Nanking the capital instead of Peking.

On July 25, 1928, the United States took the lead among the allied nations in a *de jure* recognition of the Nanking government as the government of China and, February 11, 1929, signed a treaty recognizing China's right to levy export and import duties at its own pleasure. Other nations followed this example, one by one, with the exception of Japan, which desires special privileges, but has not yet succeeded in winning them by negotiation.

During the civil war in China Japan had moved troops again into Shantung on the ground that they were necessary to protect Japanese life and property. China has demanded that they be withdrawn but no agreement has yet been reached. If Japan were really powerful and had no fear of objection on the part of Great Britain and the United States, it probably would make a bold move and forcibly annex Shantung and Southern Manchuria. But the day for that has probably passed. Japan is financially weak and is well assured that strong objections would be made to such a course of action. Then, too, the whole of China would at once unite firmly against Japan and resist any such aggression. Japan is in a quandary. It dares not go forward, it dislikes to retreat, yet realizes also that delay means further economic boycotts and international suspicion. Likely enough it will soon fall into line, make a treaty with China, and try to cultivate friendly relations by submitting to the inevitable.

VI

NEWER ATTITUDES OF THE UNITED STATES

In conclusion it seems clear that the United States is slowly substituting for the open door policy towards China a larger policy that embraces the entire East and the whole of the Pacific. It may be noticed also that the policy of isolation does not apply in the Pacific. In Pacific problems the United States regularly works in political coöperation and treaty relationship with other interested powers. The Americas, with their long coast line on the Pacific, stretching from Cape Horn along the Aleutian Islands clear into the eastern continent are definitely in control of the east and northeast Pacific, having as potential or actual bases along the western line Dutch Harbor in Alaska, the port of Pago Pago in the Samoan group, and Hawaii with a naval base at Pearl Harbor. The more important half of our fleet is now based on the Pacific, patrolling the seas and safeguarding the interests of the United States. In the South Seas is a world of British

Dominions and island possessions having a predominantly British population, to be guarded by a British fleet based on Singapore. Between Australasia on the one side and the United States and Canada on the other there is a growing trade and intercourse, recently emphasized by the visit of the Pacific fleet to the South Seas in 1925 for the purpose of strengthening friendly relations.

The strengthening of fraternal relations among the three great English-speaking peoples of the Pacific is an important aspect of our Pacific policy. By the end of the century there should be three hundred millions of these at least and between them there should be no thought of war. By the end of the century also Latin America should have a population of two hundred millions, and if we wisely stress Pan-Americanism these also will be sympathetic. As for the Far East we at present have sovereignty over the Philippines and should retain it without question, granting to the Filipinos as large an autonomy as they can manage. Under our flag they will be at peace but under their own flag friction would almost surely result in absorption under the flag of the Rising Sun or of the British Union Jack. If the United States deals wisely and rightly with China and helps it to obtain and hold its sovereignty over the whole of its territory that wonderful country will remain a peace-loving republic, sympathetic with the policies of the west and south Pacific. In this fashion half the world's population will favor a policy of peace in the Pacific for by that time Russia, which inherently prefers peace, and Japan, which should become a Republic, will have found their places in eastern Asia and will not be in opposition. In other words, the United States should aim to maintain the open door in all the Pacific and at the same time should aim to maintain the peace of the Pacific.

Europe has been for many centuries the fighting pit of the world and the blood of its peoples has been shed in battle like water. But the Pacific should be peaceful, as its name implies, it should be a great ocean lined with republics; soviet, oriental, British, Latin-American, and Canadian, but all in harmony and interested in the preservation of peace. This dream of the future depends mainly on the action of the United States within the next few years. It desires above all things the peace of the Pacific, but this is not obtained by the utterance of a pious wish, but by definite efforts to remove the causes of friction. There are

at present time three main centers of friction, each of which requires most careful consideration—China's demand for complete sovereignty over the whole of its territory, including Manchuria, Japan's demand from the United States of international equality and Russia's demand for recognition. Unless these three demands are fairly answered and agreements reached, discord and trouble are bound to occur. A temporizing or drifting policy will be of no avail, for the Pacific needs at present intelligent, constructive leadership. If the United States can supply this, the Pacific world will draw together in common policies, thus developing a Pan-Pacific entente, alongside of the Pan-Americanism of the present.

THE PUBLIC EFFICIENCY EXPERTS

By WILLIAM H. EDWARDS

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At the last annual convention of the American Political Science Association, a group of authorities on public efficiency gathered about a round table to discuss those affairs of state which came within their peculiar domain of competence. The group numbered among its members high-salaried efficiency experts, including the head of a Chicago firm of efficiency men; and representatives of the Institute for Government Research, the Bureau of Public Personnel Administration, the National Institute of Public Administration, the National Municipal League, and the New York Bureau of Municipal Research. These craftsmen surveyed with discernment the niceties of personnel management, budget procedure, and departmental structure. Their mastery of administrative detail is indisputable and their efforts have led to extensive reforms in public administration—federal, state, and municipal. But with all their worthy improvements in administrative technique, it may still be said that they have fallen short of their promises of official competence. This failure, one suspects, is owing to their minimizing the importance of the form of the selective process in determining the ability of administrators. In their ardor for administrative minutiae, they appear to have neglected to search out sound constitutional and political principles. As a result, the scientific details of their fiscal and personnel reforms have often been rendered ineffective. Of all constitutional principles, the method of selecting the legislative and administrative officials is perhaps the most fundamental and is the key for distinguishing among the various forms of government.

In view of the basic importance of the selective process, one is somewhat surprised to learn that these efficiency experts were generally agreed that, as far as the caliber of the personnel is concerned, it matters not whether the selection is through popular vote, or through appointment by the Governor, by a civil service commission, or by a departmental council. They pronounced as futile the efforts of certain interests to set up departmental councils in order to eliminate the spoils system. They also determined to agitate for the abolition of all civil service commissions because

they are useless in restraining political favoritism. One efficiency engineer reflected the spirit of the entire discussion when he remarked, "It does not matter how the men are selected; just provide for the offices."

This attitude is especially difficult to understand when one recalls the prominent place of the means of selection in the theories of political philosophers past and present. Since the days of Aristotle, the traditional forms of government, monarchy, aristocracy, and democracy, and the degraded and mixed forms, have been determined quite as much by such methods of choice as lot, election, and heredity, as by the social classes which participated in government. The key for determining the difference between direct and representative democracy, between parliamentary and presidential supremacy is to be found in this process. Such men as Charles Darwin and James Bryce have contended that the destiny of modern social and political systems may be held in the balance by the process of selection.

Instead of following the lead of these thinkers of the ages, the public efficiency connoisseurs turn to Pope's well worn couplet for direction:

For forms of government let fools contest,
Whate'r is best administered is best.

This half-truth is a convenient substitute for thinking. Is it not rather inclusive to label outstanding philosophers and scientists from Aristotle to Darwin as fools? Is it not misleading to imply that there is no relation between the forms of government, and hence the selective process, and the quality of administration?¹ It is one thing to say "Whate'r is best administered is best." It is quite another scientifically to construct a selective process which will place the "best" administrators in office. Yet recognized authorities have been guilty of just such *naïveté*. Professor Odegard writes, "A good constitution administered by

¹However, in justice to Pope and in the interest of clarity, it may be added that the phrase "forms of government" may be used in two senses—the form of the selective process, or such structural and procedural elements as bureau organization and budgeting methods. In the first sense he is wrong; in the second he is perhaps right. Good men cannot be procured for any form of government in the second sense unless there is a good form of government in the first sense. Since from earliest times "forms of government" have been differentiated on the basis of the selective process, it is justifiable to challenge Pope's unqualified use of the term.

crooks will fail and a comparatively bad one administered by honest public servants will succeed. After all, the measure of any government is the measure of its personnel."² True in one sense. But what of it? Another writes, "The character of the man it is that counts The farm is unimportant."³ These declarations directly imply that there is no relation between the form of selective process and the competency of personnel, and to that extent such views may impede progress toward better government. This attitude of indifference toward the selective process was well put by that public efficiency expert who said: "Just provide for the offices."

The unfortunate consequences which arise from depreciating the selective process as a basic factor in determining the qualifications of officials, may be estimated by observing the operations of American state administration. In this field of administration there are two main types of selection—popular vote and appointment. Unlike the situation under governments of the parliamentary supremacy class, public officials are here chosen by election not only for the legislative but also for the administrative branch. Thus, in American states, the Governor and certain lesser lights of the administration are elected by the "people" instead of being appointed by methods prescribed by a supreme parliament. Under the presidential supremacy system prevailing in these states, there is no adherence to that judicial dictum: "Where you want skill you appoint. Where you want representation you elect."⁴ Instead the doctrine of Jacksonian Democracy prevails: "Since all men are equal, one man is as good as another to hold office, and hence in a free country, all public servants should be elected by the people." Miscarriage of justice, misfeasance in office, and the consequent American lawlessness have a direct relationship to the American process of selecting judicial and administrative officers in the minds of European authorities. But such a relationship is ignored by the efficiency experts. True there has been of late an agitation against the "long ballot," led by the Short Ballot Association. But this protest is not because the long ballot is a violation of the dictum where you want skill

²Odegard, Peter, "The City Manager," *Plain Talk*, IV: 44 (January, 1929).

³Wolf, M. H., "Cleveland's Manager Plan Fails," *Plain Talk* (April, 1929), IV, 420.

⁴Lowell, A. L., *Public Opinion and Popular Government*, 260.

you appoint, nor because popular election should be confined to the representative assembly, but because of the feeling that it is disconcerting to the sovereign voter to be confronted on election day with a ballot several feet long covered with meaningless names.

The disregard by efficiency experts of the principal of skill through appointment is demonstrated in their contention that the most important state administrative officers, such as the Governor and the State Auditor, should be elected by the "people." They refer to these key positions as being administrative offices of great potency requiring profound executive capacity. They speak of the Governor as being the "chief administrator," the super-executive, operating an administrative machine of staggering complexity. Yet they leave the matter of selecting this great administrator to the wisdom of a poorly informed electorate including a considerable number of illiterates and defectives.

In choosing state officials through appointment, the problem becomes more involved. There are several distinct means of appointment, and each has its school of loyal defenders. Although the efficiency experts may adhere to one of these methods, they do not base their adherence upon the ground that the ability of the personnel is enhanced thereby. Three main types are at once in evidence: appointment by the Governor, by a civil service commission, and by a board, commission, or council at the head of a single administrative service.

The efficiency men are protagonists of appointment by the Governor and opponents of the other two methods. The nationwide "state reorganization movement," which they have directed, is based upon this method of selection. Ignoring the effect of such a selective process upon the quality of the personnel, they contend that state administration is a "unit," and therefore everyone in the administration should be "responsible" to one man—the Governor. Evidence of unity in the diverse administrative agencies is far to seek. There appears to be little similarity in the operations of a statistician, a highway engineer, and a surgeon. "Nothing is easier," says Walter Lippman, "than to simplify life and make a philosophy about it. The trouble is that the resulting philosophy is true only of that simplified life." The experts entitle their reorganization plan the one-man-control system. But is it presumptuous to inquire who controls the one man? The usual reply is that the Governor is responsible to the

political party and the sovereign people. Of the various "controls" which might have been selected in this complex society with its multifarious organizations, public, private, and secret, they chose two of the most dubious—the "invisible government" and the "people." He might have been responsible to the state legislature, which is the method of controlling the executive in most of the other countries of the world. That at least would have had the advantage of being more tangible and visible than the "people" or the party machine. Two advocates of the one-man-control system once publicly conceded that "there is no way of making the Governor responsible to the electorate."⁵ Since the Governor is admittedly responsible to the "invisible government," it is logical to predict that the same low caliber will be in evidence under appointment by the Governor as under popular election. Such has actually proved to be the case where the change has been made from election to appointment by the Governor.⁶

The other two types of appointment are predicated upon the belief that the selective process is the fundamental basis for securing competent personnel, and hence are opposed by the efficiency experts. Both types are intended to check the governor's patronage power and thereby destroy the spoils system. One type functions through a general civil service commission which appoints the personnel of the entire administration. The other operates through a special council which controls the choice of officials and employees only within a given administrative service such as education or health.

The selective process as effected under the general civil service commission is supported by such organizations as the National Civil Service Reform League. This league was the crystallization of a nationwide revolt against the spoils system as operated by political parties through the patronage power of presidents, governors, and mayors. The system was considered basically responsible for the corruption in Grant's administration and the assassination of President Garfield. For a half century this league and the civil service commissions have waged an uphill battle against the tremendous odds of political machines which continued to reap the spoils of victory. The fundamental reason

⁵Cleveland and Buck, *The Budget and Responsible Government*, 111.

⁶The case of the Ohio Superintendent of Education. Edwards, "The State Reorganization Movement," *Dakota Law Review*, II: 46-7 (February, 1928).

for the failure of the civil service commissions seems to be the giant strength of political parties under the "presidential supremacy" system of government. Under this scheme, the executive is the outstanding elective official, the most powerful force in the government because of his patronage power. Through it he dominates the legislative branch and because of it the professional politicians center their efforts upon placing their candidates in the executive chair. If it were not for the "invisible government," this type of government would be unworkable.⁷ Under European government with legislative supremacy the situation is less difficult, for there the purpose of the political party is not primarily to procure spoils of the administrative offices, but to promote concrete political issues as the representative of certain social and economic interests. But under presidential supremacy, the party constitutes an interest in itself. Thus the difference in government structure is the reason it is comparatively easy to install the merit system under parliamentary yet almost impossible to install it under presidential government. If the American civil service commissions have failed, it is probably not because a selective process has no effect upon the character of the personnel but because there has been one process working in theory—a merit system of examination handled by commissioners free from political influence, and another working in practice—a spoils system operating through the governor's patronage power almost as if the commissioners were not in existence.

The other more specialized type of appointment—the departmental council—shows greater likelihood of prevailing against political patronage than the civil service commission. The inherent structure of such a council, through which the selective process operates, can be rendered virtually secure against spoils control. Moreover, social and economic interests, affected by the quality of administration of the department, are able to exert sufficient pressure to counteract the undermining influence of the

⁷Ford, H. J., *Rise and Growth of American Politics*, 55, 78, 293; and page 240 reads: "The escape of the United States from the ruin which is the usual fate of constitutions that separate the executive management from direct contact with the assembly is doubtless to be attributed to the way in which its politics have been commercialized." See also his *Representative Government*; Mill, *Representative Government*; Wilson, *Congressional Government*, 260, 267, 285; Merriam, *American Political Theories*, 180.

partisan favor-seeker and to insure the operation of the selective process according to the spirit of the law. Various schemes of appointment have been proposed by these interests, and the degree of their success is usually in proportion to the structural safeguards against the governor's patronage power. For instance, a commission composed of three members, all appointed at the same time by the same governor has often failed; a board of five or seven members each with a five- or seven-year term, one term expiring each year, in order that no one governor could appoint a majority of the board, has frequently proved satisfactory. But the most successful from the viewpoint of the interest-groups is that which provides for a functional council of from seven to twelve members with one term expiring each year as in the preceding instance, but with the additional provision, that the governor may appoint only members nominated by interests affected by the administration of the service. When the professional politician or governor, anxious to build up his machine by the customary method of filling administrative offices with "deserving Democrats" or "rock-ribbed Republicans," is confronted with this process, he becomes baffled. In order to break into and destroy the competency of such a service, he as much as declares himself the enemy of powerful interest organizations. And if anything is conducive to fear in a politician, it is the opposition of an effectively united pressure-interest. The interest groups deem this form of selective process the most suitable because it enables their functional council to select a highly trained administrator skilled in the technology of the service, who acts as a general manager and who mans his department with technicians rather than politicians.⁸

That organized groups have defeated governors who have tried to break through such an appointive procedure is illustrated in the recent conflict between Mr. Theodore Christianson, the one-man-control governor of Minnesota, and two independent administrative services, the Board of Regents of the University and the Live Stock Sanitary Board. His contest with the Board of Regents ended in an adverse decision for him at the hands of the Supreme Court. His struggle with the sanitary board was over his efforts to intimidate the board to remove a skilled technologist

⁸See Edwards, *op. cit.*, February, 1928, for a detailed consideration of the methods of the interest groups in treating this problem.

and appoint a politician from his home town, Dawson. The live-stock board protested with such vigor that the Governor withdrew without carrying the case through the courts. Although the Governor suffered politically for his conduct, the efficiency men supported him because he was performing true to one-man-control type.

Moreover in opposing the functional council method of appointment it should be noted that the efficiency engineers lay themselves open to attack upon three main grounds. First they tend to ignore the influence of political parties. Secondly, they are inclined to depreciate the activities of interest-groups. Finally they appear to "meddle" in administrative functions which are within the purview of technicians and specialists and which are distinctly beyond the competency of politicians and efficiency experts.

I. The two contended forces of political parties and pressure-groups are not unmindful of the selective process. Although the efficiency men are apparently unaware of this conflict over the mode of appointment, they in effect take side with the politician. Indeed, their state reorganization plan of one-man-control is music to the politician's ears. The gubernatorial candidate beams before his constituents as he refers to his scientific economy plan for state reorganization, approved by public efficiency experts, which will result, so he promises, in saving the taxpayers many millions.⁹ The efficiency experts, along with the politicians, are branded for this charlatanism, for ignoring the demoralizing effects of political favoritism upon administration, and for adherence to a selective process which means that at intervals of every two or four years the governorship changes hands followed by a sweeping turnover in personnel throughout the administrative branch. A certain representative of an Ohio highway interest organization maintains that every time a new governor is elected there is a loss to the state of approximately a million dollars in the highway department alone as the result of the process popularly known as "turning the rascals out." As it happens Ohio is a state which the experts "reorganized" for one-man control, and at the time they declared it to be best of the reorganized states. In short by disregarding the influence of the party machine the efficiency engineers encourage the entry of the spoils

⁹The writer has in mind the case of Mr. Harry Davis who made such statements in his campaign for the governorship of Ohio in 1920.

system into state administration which destroys competency of personnel and continuity of policy.¹⁰

This ignoring of the pressure of political parties also leads the efficiency men into a misconception of the status of the governor's office both as to how it functions and how it is controlled. The idea that the governor is the "chief administrator" is ridiculed by the interest-groups. The office may be that of chief legislator but never that of a skilled executive. The political party in selecting a gubernatorial candidate does not ask about his administrative skill, but it does ask if he is "available," if he is a regular party man, if he is trained in the technique of the political craft—"oratory, rhetoric, and confusion."¹¹ The governor thus selected is admittedly under the direct control of the political machine and only vaguely accountable to an intangible public. Recognizing these realities surrounding the governor's office, the interest-groups propose that the governor, like the legislators and all other popularly elected officials, should be confined to representative and political duties. He should perform the only functions for which an official selected through such a process is in any degree fitted, and that is investigating and watching the activities of the administrative services and deciding broad general policies in co-operation with the legislature and in behalf of the voters whom they both endeavor to represent.¹² Thus unlike the efficiency ex-

¹⁰The reorganization advocates on numerous occasions have said that the "fear" of "politics" shown by the interest groups is unwarranted and that in reality "politics" is only a "bogey." Many pages of testimony might be cited to disprove this view of the efficiency experts, but it is sufficient here to quote Charles Evans Hughes from his book, *Conditions of Progress in a Democratic Republic*: "Corrupting influences have become more insidious and for this reason perhaps more dangerous. . . . They leave few traces and largely defy investigation. These are the influences which are shown in the play of favoritism, in the payment of private obligations through official discretion, in permitting information to be given in advance of official solicitations which imply official promises . . . conspiracies and shrewd agreements for mutual protection and enrichment . . . the blighting influence of efforts to support partisan workers at public expense. . . . This practice not only affords the means through which administrative action is perverted in order to hold and to pay for political support, but it also forms the avenue for the introduction of incompetents into the public service and leads to the multiplication of unnecessary places. Partisan political incumbrances to a great extent account for administrative palsy." Pp. 45-46.

¹¹Beard, *American Government and Politics*, 26.

¹²Miles, R. E., "Fiscal Control in Ohio," *Annals of the American Academy of Political and Social Science*, CXIII, 105.

perts the interest organizations act on the principle, where you want representation you elect.

II. Not only do the efficiency men tend to disregard the influence of parties and spoils politics upon state administration but they depreciate the tremendous pressure inherent in organized interests. Usually these experts ignore group activity, but, when they do regard the operations and views of the interests, they are inclined to discredit them as anti-social.¹³ The charge against the interest groups is not unlike the attack frequently leveled against "special interests," namely, that the latter are an insidious aristocracy of privilege which threatens to destroy democracy, justice, and common decency. The reply of the interests is that there are no state services which are not initiated and guided by the pressure of interests. They may be the interests of a church, a moral league, a trust, a corporation, a farmers' alliance, a trade union, a guild, or a profession. They may be good interests or they may be bad according to whether they stand for or against one's moral ideals or economic profits, but they are there to be reckoned with. And perhaps the remedy is to bring the interests in their relations with the government out into the open. Their methods may constitute secret and corrupt bargains with politicians resulting in the most powerful and unscrupulous organization triumphing at the expense of all the other interests of the state. On the contrary, their activities may be conducted officially and openly through functional councils where the political parasite may be eliminated and where the formerly dominant interest shares its representation with other interests. Whether one method of control and interest activity is followed or another depends upon whether the selective process is appointment by the Governor or by a functional council.

III. Besides ignoring the influence of political parties and interest groups, the experts have been charged, justly or unjustly, with the reproachable policy of "meddling." Such an allegation

¹³Buck, A. E., *Administrative Consolidation in State Governments*, p. 20: "Other criticisms come from persons connected with groups interested in particular state activities, such as health, public welfare, and education, which think that these activities would be better administered if the directors were appointed by non-political boards rather than by the Governor. Their opinions, however, are likely to be biased and hence cannot be entirely depended upon in a general reorganization of the state government which seeks structural unity and effective executive control." See also Cleveland and Buck, *op. cit.*

implies a general disregard by efficiency experts for the testimony of interest groups which are peculiarly fitted to speak of the quality of workmanship of particular state administrative services.¹⁴ Not only do the efficiency men deny the right of an interest or profession to speak with authority regarding their specialty, but they tell such a profession what type of administrative organization is best suited to its needs. This in spite of the fact that the profession after years of experience has come to the conclusion that the type favored by the efficiency engineers is the worst possible system out of a number of types which might be adopted.¹⁵ Their tactics reject the social dictum of Bertrand Russell: "Wherever there is special competence, there should be independence."¹⁶ The resentment of interest groups at interference by politicians and efficiency experts has been expressed in unmistakable terms. The protest of the American Association of University Professors is typical: "If those who know most about a subject sometimes decide wrongly, matters are not likely to be mended by putting the decision into hands of those who know less."¹⁷ This applies as well to public efficiency experts wandering in the field of preventive medicine as it does to theologians wandering in the field of biology. One member of the education interest group, Dr. Henry Suzzallo, former president of the University of Washington, protested: "A dangerous tendency in America is that of meddling. You should not do a thing simply because you have the power. It is wrong to perform a surgical operation without technical training. . . . It is wrong to take educational prerogatives out of the hands of educational experts."¹⁸ On another occasion he declared:

In state administration there is the development of the so-called "Administrative Code," all a means to gain physical economy largely by centralization, but every time these laymen, or fiscal managers in government proceed to centralize power, they leave out the courts,

¹⁴See footnote 13.

¹⁵Schrammel, H. E., *The Organization of State Departments of Education* (Ohio State University Studies, Bureau of Educational Research Monographs, No. 6), 1926, p. 96. *The Reorganization of State Department of Education* (A report of the Educational Council of the Ohio State Teachers Association, December 29-31, 1924), p. 26. See footnote 8.

¹⁶Selected Papers of Bertrand Russell, 190.

¹⁷Report of Committee on Freedom of Teaching of the American Association of University Professors.

¹⁸Address at Spokane, Washington, before the State Press Association.

they tend to drag the schools in, and unless the profession as a whole is alert in every so-called plan for economical and efficient management which tends to centralize control, the profession tends to lose its autonomy and the schools their independence. Every movement for the centralization of government should be watched by every school man, otherwise the condition which has been growing for 150 years in America may be partially abandoned and the benefit of school independence lost.¹⁹

Perhaps it is not too much to say that most mistakes both inside and outside of the field of government administration are attributable to interference by laymen with matters which should be dealt with by technicians. This view of the efficiency men that interest-groups, specialists in a craft or profession, are incompetent and should have their personnel and policy determined from the outside may appear to be contradictory and futile, but it is precisely their view.

Their contention that the selective process has no effect upon the quality of administration, the character of their one-man-control system, and their opposition to the functional council method of appointment, lend credence to the charge that the efficiency experts are operating upon false assumptions. If their state reorganization codes were not already adopted in Illinois, Idaho, Nebraska, Massachusetts, Washington, Ohio, California, Maryland, Pennsylvania, Tennessee, Vermont, Minnesota, South Dakota, New York, and Virginia and were bidding fair to be adopted by other states, one might feel inclined to dismiss the efficiency experts with a smile. But when one realizes the vital importance of some of the state services such as health, welfare, and education which affect intimately the lives and happiness of millions, and when one appreciates the tragic results of official incompetence and malfeasance, it would seem high time for the experts to call a halt and give their efficiency schemes a rest. It would perhaps do no harm for them to turn back to fundamental principles of government or even to grant a hearing to the interest-groups with their counter proposal for functional councils.

¹⁹National Education Association, *Addresses and Proceedings*, Philadelphia, 1926, Vol. 64, pp. 713-714.

INDUSTRIALIZATION IN THE SOUTHWEST*

I

Arkansas

By TRUMAN C. BIGHAM

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The social significance of industrialization, its spread during the last two decades in the West South Central States, and the insufficiency of its scientific treatment specifically for these states, justify a general discussion of the industrialization of Arkansas, even though the results be negative in nature. Such a discussion involves an appraisal of past developments in the state, a cross-cut view of present conditions, and a forecast of future possibilities. Exactitude of thought may be promoted by using the word industry to denote manufacturing, and by including as factories only those establishments embraced by the federal census of manufactures.

The first two of these tasks are naturally much less formidable than the last, although even here, because of the paucity of dependable data relating strictly to Arkansas, the task is not easy. As is doubtless true of other states, very little study of a scientific sort has been made. Needless to say, the scantiness has not been much improved by the dissemination from propaganda sources of a mass of half-truths or positively erroneous information. Reliance must be placed in the main, therefore, upon the federal censuses, a limited number of state reports, and first-hand information.

With respect to past developments, it is sufficient for present purposes to point out that the industrialization of Arkansas has proceeded very slowly; in fact, at a rate much below that of the southwest and the rest of the country. While the growth of manufacturing, as measured by the increase in the average number of wage earners employed, in the West South Central States since 1899 has been about one and three-fourths times as great as that of the country as a whole and greater than in any section of the country except the Pacific, the growth in Arkansas has been comparatively negligible. The state's growth has been about half as

*Adapted from addresses delivered before the Southwestern Political and Social Science Association, March 30, 1929, Austin, Texas.—Eds.

fast as that of the United States, and less than in all but seven of the states, five of which are in New England. An even more unfavorable index of growth is the primary horsepower installed in Arkansas factories, which was less in 1925 than in 1914. Only one other state, Nevada, suffered a decrease in horsepower during the same period. It is admitted, of course, that these measures of growth are not perfect indicators of the flow of manufactured products, but as supported by first-hand information their implications seem not to be at variance with the facts.

At present, therefore, the most outstanding feature of Arkansas' industrialization is its relative unimportance; the state is overwhelmingly agricultural. There are five times as many gainfully employed in agriculture, forestry, and animal husbandry as in manufacturing, and the value of farm products much exceeds the value of factory products. Less than 44,000 wage earners out of a total of 519,000 gainfully employed are normally working in Arkansas factories; the total value product of all factories in 1925 was less than \$200,000,000.

Along certain lines, however, where there is an abundance of cheap raw materials close at hand, the state has reached a level in manufactures of some significance. This is particularly true of lumber and timber products, in the production of which Arkansas is exceeded by only six states. No state in the union produces as much hardwood, although three-fourths of the timber milled is shortleaf pine. The dominating position of the lumber industry in the state is indicated by the fact that the lumber output normally equals in value the total output of any other ten industries. It employs twice as many wage earners as all other manufacturing industries combined.

Excepting car and shop construction by the railroads, which gives employment to about 4,500 factory workers or to one-third of the total outside of lumbering, the next five industries in the order of their importance are cottonseed oil and cake, petroleum refining, planing, rice milling, and furniture. The cottonseed oil industry has been the second leading industry of the state for twenty years, and, as in the case of lumbering, is not concentrated, but is well distributed over the respective raw material producing areas of the state. The industry is confined for the most part to the pressing of oil from the cottonseed; very little of the oil is turned into food products in the state.

Petroleum refining, the third most important industry in 1925, is a product of the period since 1920, when oil was first discovered in the state. Planing and rice milling have also increased in importance during the last ten years, although to a lesser degree. As to planing, however, most of the lumber has been shipped out to planing mills in other states where there is a greater demand. For rice milling there are now ten mills; twenty years ago there were none. Most of the rice raised in the state now passes through these mills, partly because of a reduction in freight rates on milled rice. Formerly much of the Arkansas rice was milled in New Orleans. It is now marketed all over that portion of the United States east of the Rocky Mountains.

Although the furniture industry, because of the abundance of white oak and red gum, the plentiful supply of cheap labor, and the presence of natural gas, has expanded during the last fifteen years, it is yet relatively undeveloped. Fort Smith, where there are seven small factories, is the chief producing center. The product consists mostly of the cheaper grades of furniture, and is marketed widely outside the state.

There are in the state fourteen other industries with an annual product normally exceeding in value \$1,000,000. Only certain ones which do not supply almost purely local demands need special comment. In one of these, canning, there are 100 small factories scattered through the fruit and truck growing sections, employing at the season peak about 3,000 employees, most of whom are women, and specializing in canned tomatoes, peaches, berries, grapes, beans, and sweet potatoes. These products are marketed throughout the southwest. The men's clothing industry, located principally in Fort Smith and Little Rock, where there is cheap labor and raw materials, is confined for the most part to the manufacture of overalls, shirts, and other work clothes. Woman labor is extensively used, and the product is generally marketed within neighboring states. The bulk of foundry and machine shop products is turned out in the railroad shops.

The brick, tile, and pottery industry of Arkansas, concentrated in Little Rock, Fort Smith, and Texarkana, ranks above that of any West South Central State except Texas. This is to be explained by the extensive clay deposits which lie near an abundant supply of natural gas. The development of a new gas field adjacent to Saline County has recently brought about renewed interest in Niloak pottery, which is made from Arkansas kaolin.

Glass, an allied product, has appeared among the state's twenty most important industries only within the last few years, and Arkansas is now numbered among the first twelve glass producing states, being outranked in the southwest only by Oklahoma. Five of the factories have been located in Fort Smith where there is cheap gas. Due to more favorable transportation rates, the raw material is brought from Missouri rather than from Arkansas, although the state has good glass sand. Skilled labor for these plants is reported to have been imported from Pennsylvania. There are also two glass factories in Texarkana.

In wood turning, Arkansas is outranked by only eight states and by no state in the southwest. This industry, of course, reflects to a large extent developments in hardwood lumber production.

Cotton textile factories in Arkansas have quadrupled the number of their active spindles since 1910, but cotton manufacturing at present is relatively unimportant. There are now six mills in the state, three of which have been erected within the last two years, and all of which produce the coarser grades of yarn and cloth. Nearness to raw materials, cheap labor, power, and a favorable climate appear to be the controlling factors.

An important new development in 1928 in another field was the erection by the International Paper Company of a \$5,000,000 paper mill at Camden, Arkansas, to manufacture kraft paper and paper bags. About 750 employees are normally at work in the plant. Modern chemistry has made it possible to conquer the problem of the resin content of the southern wood, thus making available for productive purposes tremendous quantities of otherwise almost worthless timber.

In summary it may be said that in manufacturing, Arkansas, down to the present, has made but a start, although perhaps a promising start along some lines. As stated before, the factory wage earners number less than 44,000; the majority of the plants are small; most of the manufacturing is of the cruder sort; and the rate of growth is slow. What of the prospects for the future?

The answer obviously depends upon the extent to which Arkansas companies can produce at a lower cost than those of competing states. This in turn hinges largely upon the development of a market either within the state or in contiguous territory, inasmuch as Arkansas is far from the centers of population; upon the relative costs of transportation, raw materials, power,

labor, and capital; and upon the favorableness of legal control and the enterprise of the people. It is safe to assume that in the near future manufacturing in the state will develop in fields similar to those in which a start has already been made.

The development of a market in Arkansas is a function of the purchasing power of the people. This is contingent principally upon the growth of population, trade, agriculture, mining, and manufacturing. Arkansas has an estimated population of less than 2,000,000, and from 1910 to 1920 failed to retain its natural increase, the addition being but 119,000. Since 1890 she has received fewer people from other states than she has sent to them, particularly to Oklahoma and Texas; the agricultural conditions, upon which the population principally depends, are not such as to attract immigrants. Although the birth rate is a little above the average, because of the high marriage rate at a relatively early age, past trends indicate that many people will leave the state, especially from those sections of the state other than the rich lowlands. It is likely, therefore, that population will increase in the near future at a slower rate than in the country as a whole.

The purchasing power of Arkansas citizens, as measured by per capita income, as shown by the National Bureau of Economic Research in 1919, was \$379 as compared to \$627 in the United States and \$538 in Texas. The per capita wealth in Arkansas in 1922 as estimated by the Census Bureau was half that of the per capita for the United States. The Brookmire Economic Service gives an income per farm in 1924 of \$851—less than half that of either Oklahoma or Texas. While the purchasing power will doubtless increase in the near future, yet, as will be shown, the prospects for trade, agriculture, mining, and manufacturing are not bright enough to forecast a rapid increase. Another retarding factor is the relatively unequal distribution of income and wealth in the state.

Intrastate trade and commerce have been retarded by the proximity of several large cities outside the state, namely, Memphis, St. Louis, Kansas City, and Shreveport. Much Arkansas trade goes to these cities, partly because of unfavorable freight rates. No West South Central State and only Mississippi and Alabama have a smaller percentage of gainfully employed in trade. Under these circumstances, and in the light of the outlook for an increase in population and in the extractive industries, it is not

to be expected that the development of trade will be other than moderate.

The outlook for agriculture is more promising, although here there are encumbering factors. It is to be noted that the state is divided roughly into two parts by a diagonal line running northeast and southwest, the territory to the west and north of the line being rough and hilly. About one-half of the land area is in farms; less than one-third in improved farms; and about one-fifth in crops. The farms are relatively small in size, are very poorly improved, and are given over too much to the one-crop system. Many hill farms are being abandoned. Half of the farms are worked by tenants, largely under the cropper system. Fifty per cent of the farm area is in cotton; the proportion of truck and stock farms is small.

Due, however, to the quantity of available land, cheap negro labor, and the smaller inroads of the boll weevil in Arkansas it is quite likely that cotton culture will be extended; it will dominate the state for many years. Rice, fruit, and truck growing also bid fair to increase, inasmuch as better methods are being adopted and a higher type of culture is required. But considering the competition of other agricultural states, inefficient methods, and farm abandonments it would seem that the general agricultural development of the state for some years will proceed at about the rate it has proceeded during the last ten years.

Mining is as yet relatively undeveloped. About one per cent of the occupied males are engaged in mining. On the whole, coal mining has declined since 1907. About 1,500,000 short tons are mined annually. The coal is of a good quality, but many of the beds are thin, seamed, and broken. Production is also kept down by the lack of cheap transportation, the small local market, and the distance from northern and eastern markets. Iron deposits are insignificant, and those existing are not near coal or lime. The output of oil is great, but oil is a wasting resource and its production has dropped off sharply since 1925. Arkansas produces over ninety per cent of the country's bauxite, but its relative unimportance is indicated in the annual production of only 200,000 long tons. With gas the situation is different; here there has been a rapid increase since 1920, and in 1925 the output was 53,000,000,000 cubic feet. The production of other minerals is insignificant. The best prediction seems to be, therefore, that the expansion of the market in Arkansas in the near future will

not be great enough to bring about a rapid growth of manufacturing within the state, especially in view of the competing sources of factory products. An analysis of market prospects in neighboring states may be left to others.

The transportation facilities of Arkansas may be considered adequate, except in the northwest section, where the railroads are forced to follow the Arkansas River valley, but rates on many commodities are unfavorable. This is particularly true of manufactured goods moving into the state through surrounding gateways. Relief was given in 1928 on numerous commodities when the Interstate Commerce Commission ordered the basing of rates on the distance principle, following the hearings in the Consolidated Southwestern cases, but the distance principle has not yet been applied to all goods. No intrastate rates have been adjusted on this basis. In some cases, of course, the readjustments meant higher rates. Water traffic on the state's Mississippi River frontage is not in sufficient volume to bring about the lowering of rail rates.

Raw materials may be discussed conveniently by industries. The United States Forest Service has estimated that there are standing in the state 60,000,000,000 board feet of lumber. This is being cut at the rate of 1,500,000,000 feet per year, which will likely exhaust the virgin timber in less than a quarter of a century. No effective steps have been taken toward reforestation; there is no state forestry commission. Over one-third of the timber area is now unproductive. It is therefore practically certain that the manufacture of lumber will decline, and inasmuch as the lumber industry constitutes such a large proportion of factory products made in the state, manufacturing as a whole will be retarded. Already lumber production is declining and with it the principal support of many communities.

The outlook for cottonseed and mineral products has already been discussed. Unless new fields are opened, oil refining is certain to decrease. This, too, will check the growth of manufacturing in the state. The exploitation on a large scale of clays and mineral waters waits upon the general development of the country and the local market.

The water power of the state, from the viewpoint of manufacturing, is one of the most favorable factors. Of the total of 200,000 horsepower available ninety per cent of the time, only about eight per cent is developed. It is likely that there will be

an increased utilization of this source of power during the next decade, probably in cotton manufacturing, but it is evident that the principal reliance will be upon coal. Many of the sources of water power are isolated and distant from markets, and if all the potential power were developed the present horsepower installed in Arkansas factories would be increased not more than one hundred per cent. Super-power systems are not yet prominent in the state, and unutilized power in other sections of the country will retard the development of Arkansas's water power.

The state's labor supply is abundant, although unskilled. Almost every community in the state reports a surplus of labor. Hundreds have moved in from the farms; during the period 1920-1925 farm population decreased 147,000. This decline was almost as great as that of Texas, although Texas is three times as populous as Arkansas. The labor supply is native and otherwise attractive for factories; the percentage of foreigners is negligible. The glutting of the labor market, low standards of living, and the lack of unions have kept wages at a low level. The modal wage paid men for unskilled work appears to be two dollars per day for a ten-hour day; for women it is often as low as one dollar. Piece rates are also correspondingly low. Unless there is a more rapid economic development of the state, much of this labor supply is sure to be lost. There is here a great field for management. Training of these workmen would enable the state to carry on the finer sorts of manufacturing, and thus increase the value added in manufacturing.

The other important forces bearing upon industrialization need only brief comment. The offering of capital for investment depends upon the general developments already discussed. Extensive manufacturing would of course make it necessary to draw upon outside sources. Doubtless local capital would have to lead the way in bringing to light the industrial possibilities of the state. Legally there is little to hinder the growth of manufacturing; a commission recently appointed by the Governor gave it as their opinion that the business laws of Arkansas, with certain minor exceptions, would in no way check the industrial growth of the state. Some laws definitely encourage industry, i. e., cotton mills have been exempt from state taxation for a period of seven years. It is urged by some that the recent passage of the state income tax bill will drive industry from the state or keep it out, but there is no evidence to support this contention.

In conclusion, the growth of manufacturing in Arkansas during the next ten years is likely to be slow, with a possibility of actual decline because of the unfavorable outlook for timber and its allied products and for oil refining. Shop construction will depend upon the growth of railway traffic, which will be comparatively slow due to a slow increase in population, trade, and the extractive industries. Cottonseed oil will parallel the increase in the output of raw cotton. Paper making will probably increase because of the shortage of materials in the northeast, the rapid growth of timber in the South, and the high cost of transportation from the Pacific Northwest. The glass industry will have to divide business with Oklahoma. Canning will increase in proportion to the enlargement of the southwestern market; here freight rate adjustments will play a large part. The outlook for cotton textiles and cheap clothing is uncertain. Unfavorable factors are the remoteness of Arkansas, unutilized advantages in other sections of the country, a late start in Arkansas, and the limited supplies of local capital. Favorable factors are undeveloped water power, abundant and cheap labor, exemption from taxation, and nearness to mid-western and southwestern markets as compared to the South Atlantic States. The other industries will wait upon the expansion of local markets.

Although the outlook for manufacturing is thus relatively unfavorable, yet such a prediction should not be made with too much certainty. The Governor's investigating commission, the industrial survey being conducted by the State Chamber of Commerce, the broadened advertising program for the state, and the general awakening of the people may bring forth surprising results, if more diversification in manufacturing can be secured along with less dependence upon the wasting resources.

II

Louisiana

By JAMES B. TRANT

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As in the past farming and trade have continued to play an important part in the economic life of Louisiana. An income of approximately \$200,000,000 a year is received from agriculture.¹

¹*Louisiana*, 1928, page 61.

This represents a rapid development since 1900, when the income from agriculture was \$73,000,000. More than thirty-six per cent of Louisiana's population is at present engaged in agriculture. The farming business in Louisiana includes: cotton, sugarcane, corn, rice, sweet potatoes, strawberries, hay, Irish potatoes, tobacco, oats, truck crops, peanuts, cowpeas, soy beans, fruits, livestock, dairying, poultry, and bees. The value of farm property increased from \$198,537,000 in 1900 to \$384,911,000 in 1925.²

Louisiana since its earliest history has been important as a trading territory. Her chief city, New Orleans, was developed largely as a trading center. Without going into the details of her trade development from the time when she was a puny village to her present position as a metropolis, it might be well to mention that while her foreign trade fell off following the Civil War it is now increasing. New Orleans ranks second only to New York in the volume and value of her foreign commerce. In 1927 New Orleans exported 3,520,293 tons and imported 4,177,355 tons.³ The value of the exports from the New Orleans district in 1927 was \$370,600,328, and the value of the imports for this district was \$211,683,805.⁴ The state of Louisiana ranked seventh in 1927 in the value of her exports.⁵

Sugar. The sugar industry was among the earliest to develop in Louisiana. In 1751 the first sugarcane was brought to New Orleans by the Jesuit Fathers. It was first grown as an ornament and in a few cases for syrup. In 1795 Etienne de Bare discovered the process of granulating sugar from the cane juice. He sold his first crop for \$12,000. The progress in this industry was rapid. By 1802 the products from cane marketed in the city of New Orleans amounted to 200,000 gallons of rum, 250,000 gallons of syrup, and 5,000,000 pounds of sugar. For the quarter century ending in 1918 the annual average production of sugar amounted to about 250,000 tons.⁶ The amount of rum is unknown. In 1919 the sugar industry in Louisiana met with disaster as a result of Mosaic disease in sugar cane. But with the development of the new variety of cane (P. O. J. 234) introduced by the United States Department of Agriculture the sugar indus-

²*Statistical Abstract of the United States, 1928, page 586.*

³United States Shipping Board data.

⁴*World Almanac, 1929, page 317.*

⁵Data given by the United States Department of Commerce.

⁶*Louisiana, 1928, page 65.*

try since 1927 has been rapidly recovering and bids fair to come into its own again.

Lumber. The lumber industry developed early in Louisiana. This was to be expected in view of the great forests of the state. These forests have included a fine variety of trees which have made the lumber products of Louisiana very valuable. As the forests in other states have been diminishing, the lumber industry in Louisiana has increased. In 1889, the year for which the earliest figures are available, Louisiana ranked twenty-fifth in the board feet production of lumber, annually producing 304,000,000 board feet. This amount increased regularly for each census period until 1914, when her total production was 3,956,000,000 board feet. From 1914 to 1925 there was a slight decline in the amount produced, giving 3,293,000,000 board feet for 1925. In 1925 Louisiana ranked third in the amount of lumber produced, Washington and Oregon each producing more.⁷

Figures for the value of her lumber were not available before 1900. In that year her lumber was valued at \$19,098,000. This increased to \$121,896,611 for 1925.⁸ Louisiana employed approximately 42,000 people on the average in its lumber industry in 1925.⁹

The depletion of the forests was allowed to go on unhampered for many years. There are now about two and a quarter million acres of forests. This is being cut over at the rate of almost a quarter of a million acres annually.¹⁰ At this rate if nothing were done in the way of protection, the forests of Louisiana would be depleted in less than ten years. In order that this might be prevented private lumber concerns about ten years ago undertook a reforestation of their cut-over land. In more recent years the state has undertaken to aid in a reforestation program. The state has acquired approximately 6,000 acres of land for nursery purposes, and follows the policy of supplying small farmers with seedlings at less than cost, and the large farmers, paper companies, and lumber companies with seedlings at cost. The large companies, in most cases, have their own nurseries. Of the total plantings, under this program of development, the state has done about ten per cent; communities, two per cent; schools, three per

⁷*Statistical Abstract of the United States, 1928, page 690.*

⁸*Manufacturer's Record, Blue Book of Southern Progress, 1928, page 95.*

⁹*United States Census of Manufacturers, 1925, page 513.*

¹⁰*Louisiana, 1928, page 22.*

cent; small landowners, twenty per cent; and the large landowners with the paper and lumber companies about sixty-five per cent.¹¹ Of the original 25,600,000 wooded acres there are now 17,365,000 classed as wooded. 12,680,000 acres have been cut over and 9,000,000 acres restocked. There are more than 4,000,000 acres under fire protection.

In the number of lumber establishments Louisiana ranks eighth among Southern States, but in both horsepower and value of the lumber production she ranks first.¹²

Furniture. The furniture industry has had a long development in Louisiana but has been of minor importance relative to the amount of lumber produced. In 1925 Louisiana had eighteen furniture establishments and produced furniture worth \$3,275,918. Among the Southern States she ranks eighth in number of establishments and eleventh in both horsepower and value of furniture. In 1925 there were 919 persons employed in the furniture business in Louisiana.¹³

Sulphur. It is interesting to note that sulphur was discovered in Louisiana in 1858 in a well being drilled for oil, and forty-eight years later in a well being drilled for sulphur oil was first discovered. No development of sulphur took place, however, until 1894. From 1894, when five tons were produced, the development was gradual until 1922, when the output reached 1,146,860 tons.¹⁴ The production declined for the next two years and ceased in 1924 as a result of the economic exhaustion of the mine then in operation. Many other sulphur domes have been found, but in none of them have sufficient quantities of commercial sulphur been discovered to cause development, though it is constantly referred to as an industry which will be prosperous in a short time.

Oil. Oil production in Louisiana began in 1902. The development in the production of oil has taken place in two separate districts: first, in the gulf coastal district, where the oil is found under salt domes; and second, in the anticlinal fields of North

¹¹*Eighth Biennial Report of the Department of Conservation of the State of Louisiana, 1926-1928, page 71.*

¹²*Manufacturer's Record, Blue Book of Southern Progress, 1928, page 95.*

¹³*United States Census of Manufacturers, 1925, page 513.*

¹⁴*Eighth Biennial Report of the Department of Conservation for the State of Louisiana, 1926-28, page 60.*

Louisiana. The gulf coastal district dominated the field from 1902 until 1910, when the North Louisiana district took the lead.¹⁵ Recent discoveries lead one to think that the southern field will again become dominant in the near future.

Since beginning the production of oil in 1902 Louisiana has produced 376,728,000 barrels.¹⁶ In 1922 Louisiana held fourth place among the states as an oil producer. But since 1923 she has held seventh place.¹⁷ This relative drop was due to a decline in production in some of the fields in Louisiana.

Louisiana has thirteen oil refineries with over 3,500 employees. The horsepower employed in this part of the industry is 14,507 giving her eleventh place among other states, but the value of the product, \$166,611,627, gives her sixth place with the other states.¹⁸ In connection with this Louisiana claims the largest oil refinery in the world in the plant of the Standard Oil Company of Louisiana at Baton Rouge.

Gas. Natural gas was discovered in Louisiana in 1905.¹⁹ In 1915 she was producing 25,540,000 cubic feet and in 1926, 157,423,000 cubic feet.²⁰ Though Louisiana ranks fourth in the quantity production of gas she stands at the bottom of the list of the twenty-four producing states in regard to the unit value of gas. This is caused partly by the fact that a large volume of cheap gas is sold to the carbon black plants and consumed at point of origin. It is not subjected to additional costs for transportation and distribution. The lower value is caused to some extent by the limitation of the market. Main lines are now being run into other states and a market is being provided for Louisiana gas. The Monroe gas field is said to be the largest and richest in the world.²¹ The unit value of Louisiana gas will likely have a low ranking for years to come, partly as a result of her ability to dispose of a large quantity of cheap gas.

Carbon Black. Data on the development of carbon black in Louisiana is not available prior to 1925. In 1926, the last year

¹⁵*Louisiana, 1928*, pages 11-12.

¹⁶*Statistical Abstract of the United States, 1928*, page 738.

¹⁷*Eighth Biennial Report of the Department of Conservation for the State of Louisiana, 1926-28*, page 115.

¹⁸*United States Census of Manufacturers, 1925*, page 824.

¹⁹*Eighth Biennial Report of the Department of Conservation of the State of Louisiana, 1926-28*, page 138.

²⁰*Statistical Abstract of the United States, 1928*, page 736.

²¹*Louisiana, 1928*, page 11.

for which it is available, Louisiana had thirty-four carbon black plants out of a total of fifty-seven for the United States as a whole.²² She produced 130,376,987 pounds of a total production in the United States of 180,576,176 pounds. The value of carbon black produced in Louisiana was \$6,955,771 and for the United States \$9,939,221.

Cotton. Louisiana has long been a cotton producing and cotton manufacturing state. In 1926 she had 1,979,000 acres in cotton, which produced 829,000 bales, valued, when the price was eleven cents a pound, at \$45,595,000. In the same year she produced 368,000 pounds of cotton seed which at \$20.22 per ton gave a yield of \$6,624,000.²³

In the manufacture of cotton Louisiana had 55,600 active spindles in 1900 and 100,764 in 1927. She had 1,584 looms in 1900 and 2,436 in 1927. She consumed 14,564 bales in 1900 and 45,090 in 1927. The value of her manufactured cotton in 1927 was \$9,797,505. There are only two cotton mills in Louisiana. There are nineteen cotton seed oil mills. In 1927 Louisiana had \$13,997,927 invested in cotton seed oil mills, and the value of the product from these mills was \$8,643,000.²⁴

Railroads and Public Service Companies. Even though there is a great amount of water transportation around and through Louisiana, the state having nearly 5,000 miles of navigable streams, railroad mileage has had an extensive development. This has been necessary in order to carry on an ever increasing trade. In 1860 Louisiana had only 335 miles of railroad. This had increased by 1926 to 4,828 miles.²⁵

Electric railways had 239 miles of track in 1907 and 305 in 1922.²⁶

Louisiana is now making rapid strides in the development of hydro-electric power, but adequate data are not available to point out the growth of this industry.

Rice. Louisiana is the largest rice producing state in the Union. A large part of southern Louisiana is particularly suitable for raising rice. From an average in 1909-13 of 363,000

²²*Manufacturer's Record, Blue Book of Southern Progress, 1928, page 124.*

²³*Statistical Abstract of the United States, 1928, page 639.*

²⁴*Manufacturer's Record, Blue Book of Southern Progress, 1928, page 210.*

²⁵*Statistical Abstract of the United States, 1928, page 382.*

²⁶*Ibid., page 410.*

acres she had in 1927 481,000 acres.²⁷ There are at present thirty rice mills in the state.

Other Industries. Other industries which are important in the State of Louisiana but for which a complete discussion is not warranted in the limited time given this paper are as follows:²⁸

1. Kraft paper, which is made mostly from refuse, chiefly from wood and rice straw.
2. Commercial printing.
3. Glass, produced in large quantities and for various purposes in the Shreveport district.
4. Clothing, and particularly summer clothing. Almost three-fourths of the summer clothing for the United States is produced in New Orleans.
5. Iron and steel.
6. Brick and clay products.
7. Lime.
8. Cotton gins, which have been manufactured in Louisiana since 1849.
9. Celotex, or "Synthetic Lumber," which is manufactured from sugar cane pulp.
10. Moss ginning for cushions and mattresses.
11. From the mines and quarries Louisiana obtains salt, gravel, sand, and limestone.
12. The fish, oyster, shrimp, crab, and fur industries bring in large returns to Louisiana yearly.

Banking. The banking resources of Louisiana have increased from \$171,561,708 in 1910 to \$529,314,000 in 1927. Individual deposits have increased from \$36,276,000 in 1900 to \$369,024,000 in 1927.

Probably the best index of the increased industrialization of Louisiana is to be found in the growth of her invested capital in manufacturing and the value of her manufactured products. The capital invested in manufacturing in Louisiana increased from \$100,874,729 in 1900 to \$462,209,000 in 1926.²⁹ This gives an annual growth of approximately seventeen per cent. The value of her manufactured products increased from \$111,397,919 in

²⁷Statistical Abstract of the United States, 1928, page 650.

²⁸Eighth Biennial Report of the Department of Conservation of the State of Louisiana, 1926-28, page 31.

²⁹Manufacturer's Record, Blue Book of Southern Progress, 1928, page 210.

1900 to \$710,050,000 in 1925.³⁰ This is a growth of nearly twenty-three per cent. From these figures the conclusion is reached that about three-fourths of the industrial growth of Louisiana has taken place since 1900. This has been due in large measure to the general movement for industrialization of the South, a movement which has come about as a result of abundant resources, mild climate, cheap labor, and adequate means of transportation. Louisiana has been particularly blessed with these factors. As further evidence of her fortunate position the percentage of commercial failures were lower in Louisiana in 1927 than in any other state in the Union, except Delaware, it being .49 of one per cent.³¹

Louisiana has an area of 48,506 square miles, a population of 2,000,000 persons, and wealth estimated by the United States census in 1923 at \$3,416,860,000.³² In 1925 Louisiana had 1,742 manufacturing establishments in which she employed 88,058 people.³³

III

Oklahoma

By CHAS. N. GOULD

Director Oklahoma Geological Survey

It is an axiom of economics, which need not be enlarged upon at this time, that all wealth comes ultimately from the earth, and that there are but three chief sources of new wealth; namely, wealth from agriculture, wealth from mining, and wealth from manufacturing. Agriculture and mining are the so-called basic or primary industries. The farmer, the ranchman, the stock-raiser, the dairyman, the poultryman, the miner, the quarryman, the oil man, each in his own way, takes from mother earth certain raw materials which in various ways are added to the sum total of visible wealth.

For the purpose of this discussion, manufacturing may be called a secondary source of wealth. These raw materials taken from the earth in whatever form, are changed and fashioned into objects for man's use and comfort. Flour mills, cotton mills,

³⁰*United States Census of Manufacturers, 1925.*

³¹*Statistical Abstract of the United States, 1928.*

³²*Ibid.*, page 313.

³³*Ibid.*, page 783.

cement plants, glass plants, gypsum plants, oil refineries, and scores and hundreds of other manufacturing plants throughout the world are engaged in this work.

In these three sources of new wealth, Oklahoma ranks high. Not to weary you with details, let me outline very briefly what Oklahoma has accomplished in this regard within the past twenty-five years.

At the beginning of the twentieth century, Oklahoma and Indian Territory combined raised crops valued at only a few million dollars per year, and ranked far down in the list in the value of agricultural products. During the past half score of years, Oklahoma's agricultural products have amounted to approximately \$500,000,000 per year, and Oklahoma's rank is from fifth to ninth place among the states of the Union in the value of agricultural products.

In the value of mineral wealth, Oklahoma has advanced during the past quarter of a century from thirty-fifth place to second place, and the amount of mineral wealth has increased from \$4,000,000 per year to more than \$500,000,000 per year. In 1926, the value of Oklahoma's mineral wealth was \$569,518,693.

In manufacturing Oklahoma has made rapid advances. From almost nothing in 1900, Oklahoma has advanced until the value of her manufactured articles, chiefly petroleum products, during the last few years approximates \$450,000,000 annually. At the present time Oklahoma's new wealth per year from agriculture is about \$500,000,000; her new wealth from minerals about \$500,000,000; and her new wealth from manufactures about \$500,000,000. The total new wealth from the three chief sources of wealth in Oklahoma approximates one and one-half billion dollars per year.

As has already been pointed out, agriculture and mining are considered the primary sources of wealth, and manufacturing the secondary source. It has been true in Oklahoma, as in most other new countries, that these primary industries, agriculture and mining, have been developed first, sometimes at the expense of manufacturing. In point of fact, up to the present time, with the exception of petroleum products, Oklahoma has never done a great deal in the way of manufacturing.

For a proper understanding of the problem before us, it might be well to pause for a moment and ask the question: What things are necessary for the development of manufacturing industries?

MINERAL PRODUCTION IN SOUTHWEST STATES, 1919-1926*

Year	Oklahoma	Texas	Arizona	Louisiana	Arkansas	New Mexico
1919	\$ 291,078,174	\$ 190,536,015	\$ 112,512,239	\$ 38,851,509	\$ 10,709,213	\$ 22,679,960
1920	493,320,359	371,250,979	116,383,335	138,745,725	17,037,896	27,883,565
1921	269,882,612	212,302,907	30,818,363	61,061,974	22,515,412	13,227,268
1922	369,069,612	249,604,173	63,737,720	75,519,328	31,418,633	18,038,022
1923	398,857,652	264,232,465	105,065,693	61,199,048	41,954,319	23,791,047
1924	393,810,630	272,729,023	100,327,062	56,930,681	61,748,999	23,013,528
1925	501,767,118	351,211,629	114,202,670	60,503,891	87,185,532	25,696,009
1926	569,518,693	420,586,730	115,047,987	62,203,543	84,485,672	28,513,991
Total	\$ 3,287,304,850	\$ 2,332,453,921	\$ 758,095,069	\$ 555,015,699	\$ 357,055,676	\$ 183,743,390
Average per Year	\$ 410,913,106	\$ 291,556,740	\$ 94,761,883	\$ 69,376,962	\$ 44,631,959	\$ 22,967,923

*From United States Bureau of Mines Mineral Statistics.

The answer is obvious. Two things are essential, namely, power and raw materials. The two chief sources of power now being utilized are water power and fuels. Oklahoma has water power, although at the present time it has been developed to but a limited extent. But Oklahoma has vast amounts of fuel. In the matter of oil and gas Oklahoma produces each year between 250 and 300 million barrels of oil valued at \$350,000,000 to \$400,000,000; she produces about 300 million thousand cubic feet of natural gas valued at \$40,000,000 to \$50,000,000; and 500 million gallons of casinghead gasoline valued at \$20,000,000 to \$30,000,000. How much longer this material will last we do not know, but certainly for many years, probably for generations. But if, and when, the oil and gas are all gone, as some time they will be, Oklahoma has, locked up in her hills, according to government estimates, seventy-nine billion tons of coal, which is enough at the present rate of mining to last for 26,000 years.

In addition to fuel, the important things from a manufacturing standpoint are raw materials, especially structural materials. I can at this time list but a few of the more important of these materials. Oklahoma has unnumbered millions of tons of asphalt; large commercial deposits of zinc; 123 billion tons of gypsum; glass sand; lead; salt; limestone; Portland cement rock; clay and shale; granite; sandstone, gravel, and building sand; besides large amounts of such other known minerals as tripoli, marble, novaculite, volcanic ash, and smaller amounts of iron and manganese.

We in Oklahoma deplore the fact that more of the things we use are not manufactured within the State. We do not always remember that these products that I have mentioned and many, many others are being manufactured today by firms of long standing, well financed, with their trade thoroughly established, and their selling organizations functioning. We sometimes forget that it is a difficult thing indeed for a new organization to get going. We must remember that these things are an inevitable part of our youth, and that they will gradually but inevitably be corrected.

IV

Texas

By FRANK K. RADER

Southern Methodist University

In this age of increasing industrialization and of corresponding relative loss in agricultural pursuits it may well be asked where this industrial activity is being carried on. What is the geographical distribution of it? And is it tending to stay where it is? An answer is to be found in a comparison of the data covering wage earners in manufacturing for the years 1914 and 1925 for the various geographical regions into which the Bureau of the Census divides the United States. These data are presented in Table No. 1.

TABLE NO. 1

	Wage Earners	Manu- facturing	Per Cent of Total in United States	
	1914	1925	1914	1925
United States.....	6,888,000	8,384,000	100	100
New England.....	1,140,000	1,122,000	17.0	13.0
Middle Atlantic States.....	2,356,000	2,491,000	34.0	30.0
East North Central.....	1,680,000	2,343,000	23.0	27.0
West North Central.....	382,000	453,000	5.0	5.0
South Atlantic.....	685,000	839,000	10.0	10.0
East South Central.....	264,000	356,000	4.0	4.0
West South Central.....	212,000	265,000	3.0	3.0
Mountain.....	81,000	100,000	1.0	1.0
Pacific.....	235,000	415,000	3.0	5.0
Texas.....	75,000	107,000	1.1	1.4

This comparison discloses the fact that during the period 1914 to 1925, there was a decline in New England from 17 per cent of the total for the United States to 13 per cent. The Middle Atlantic States, New York, Pennsylvania, New Jersey, Delaware, Maryland, the Virginias, and District of Columbia, declined from 34 per cent to 30 per cent. On the other hand the East North Central States, Wisconsin, Michigan, Illinois, Indiana, and Ohio, have increased their percentage from 23 per cent to 27 per cent and the Pacific region gained 2 per cent nearly doubling its contribution. All other divisions merely maintained their positions. For comparative purposes Texas is included in this table. In

1914 Texas was contributing 1.1 per cent of the wage earners in manufacturing in the United States. In 1925, the figure stands at 1.4 per cent, a 0.3 per cent gain—just barely encouraging.

In other words, industry *is* changing location, *not necessarily moving, but yielding* to new areas.

As a further check upon these conclusions and as a test of changing occupations of population, Table No. 2 is arranged to disclose the relationship between population and wage earners in manufacturing in the various regions and in Texas. These data, it is observed, show evidence of a shift of population to manufacturing in those same areas that have been gaining in manufacturing importance. It is not, however, yet evident whether this change is a result of migration or merely a shift of local population.

TABLE NO. 2

Region	Per Cent of Population in Manufacturing		Change
	1925	1914	
United States	7.3	6.9	+ 0.4
New England	14.0	16.3	— 2.3
Middle Atlantic	10.3	13.3	— 1.0
East North Central	9.9	8.4	+ 1.5
West North Central	3.5	3.2	+ 0.3
South Atlantic	5.4	5.2	+ 0.2
East South Central	3.8	3.1	+ 0.7
West South Central	2.4	2.2	+ 0.2
Mountain	2.7	2.7	0.0
Pacific	6.3	4.8	+ 1.5
Texas	2.1	1.1	+ 1.0

It is an incontestable fact that the South and Southwest—and Texas,—are manufacturing increasing proportions of the goods that they need and that the country as a whole needs. It is equally incontestable that the South is gaining while some areas are losing, losing not necessarily absolutely but relatively. How then, let us ask, has the change occurred? Have industries moved their plants and equipment? Have branch plants been installed? Have plants under new ownership been springing up? These are some more questions that seem to deserve attention and only an approximate answer is here provided.

Industry has not shifted from North and East to South and West. Much that we read and hear would lead us to believe that

nothing is left in the East but abandoned plants and that nothing is in the South but smoke and roaring machinery. The fact is, industry is not moving, industry is *spreading, spreading* South and West. It is also spreading North and West, and the net result of this movement leaves the center of industry traveling westward along the fortieth parallel of latitude just as it has always been accustomed to travel. The center of population of the United States has moved westward along the thirty-ninth parallel and now rests in Western Indiana. The center of manufactures is not far behind it—a quite significant fact it would seem.

The quite natural conclusion follows: that there has been no appreciable net shift of industry North to South, and that manufacturing habits and customs have traveled westward largely in zones just as have political institutions. The East migrates westward seeking its own climate. It takes with it its township principle of government and its thrifty industrial practices and we find both in Indiana. But though there has been no aggregate net shift,—except in a few specific industries which do not materially affect total national figures—there has certainly been a *spread* of industry to the South and West. As population has grown and spread since colonial days, industrialization has grown and spread Westward, thin at the industrial frontier, a frontier moving always westward—Southwestward and Southward and bringing in its train shades of greater industrial intensity, shades that require ever increasing proportions of population in the performance of those manufacturing processes of which the shade is made. The South and West are just now beginning to feel the influence of this movement—this national industrial expansion. Increasing demands for manufactured goods require increasing plant facilities. Specialization of capital and labor proceeds and market distances lengthen. Competition squeezes profits. The net result of these forces is a search for more economical operating locations, a search that leads not to a *transplantation of industries* but to a *spread* of industry to locations that offer possibilities of better and more stable profits.

What evidence, then, do we find to indicate that Texas is at least on the industrial frontier? In furniture, textiles, some bulky and heavy machinery, steel fabricating, clay products, and paper, Texas is moving along. Slaughtering and leather trades are doing better, and canning is being stimulated to some extent. Dairy products plants have responded to Texas attraction, and

the clothing trades are contributing a growing addition to state income. Then there is the flour milling industry, probably somewhat overexpanded. Now turning to less real evidences we find many straws showing the way the wind is blowing.

Manufacturing consumers of cotton textiles are finding it to their advantage to locate in this area for production for the southwestern market. Market consumption has just now reached a level to justify such a move. The lower volume of earlier periods has been more economically handled from plants located elsewhere. It has also been indicated that the tire industry is by no means to be entirely confined to Akron, Ohio. Expansion is to be located in other areas whose markets seem to justify the move. In glass, efforts have been made to develop the hollow-ware trade, but without success. This ware carries a high freight rate and seems to offer opportunities for economy through location in Texas. The facilities are here but the industry seems sufficiently developed already to supply market needs and one finds little interest in a Texas project. However, the project would be of interest largely to power sources only, since little labor is employed, the process being so nearly automatic as to make the plant almost depressingly lonely. Efforts have been made to develop shoe manufacturing. In this industry the policy of going to the labor with the plant has been followed for a long while. Missouri is dotted with them as a result of this policy. Many advantages result which would seem quite evident but one of the most powerful is not quite so obvious. Concentration of plant means concentration of labor and fertile soil for discontent and the labor organizer. Scattered units make this problem less troublesome. The shoe industry is not invading Texas as yet, but in a limited way it must come when population and market justify it. The industry is one that rather follows the market in the interest of economy as the cost of transporting the raw material is much lower than the finished product. There is another development that seems to be significant. Several manufacturers of heavy equipment are establishing warehouses in Texas to which carload shipment is made for local distribution. The next step is to supply these warehouses from local plants, drawing raw materials from the steel industry of the East. It would seem that the furniture industry would have great possibilities in Texas. East Texas is now a chief source of hardwood lumber, a fact that would seem to place

local manufacturers in a very strong competitive position. Furniture manufacturing, like shoes, tends to be forced to the midst of its market by the high rates on finished goods and we find the industry widely scattered, but doing not so well anywhere at present. There are successful plants in Texas but there are others for rent for any purpose. A chief reason for this is easy to find. The average retailer does not want a carload of dining room chairs, but he does want a carload of furniture. He wants to make up a car of varied items that one manufacturer cannot supply. High Point, North Carolina, can do this for him. Texas cannot. The plants that are successful have adapted themselves to some extent, to this situation and are producing general lines of cheap furniture and are equipped to make up a car and provide the benefits of the lower rate.

In the field of cotton textiles Texas stands ready to compete with the Piedmont region. Texas labor and power costs are just about the same as those of North and South Carolina and labor is 30 per cent cheaper than in New England. This fact, together with automatic equipment largely accounts for the rapid advance in the textile industry in the Southeast. But even they have their limits. It is rather generally thought that further expansion there must affect wages. This will strengthen Texas' position, which, to judge from present conditions in textiles, needs strengthening. However, it is never safe to judge the possibilities of an industry in the light only of conditions in depression. The cotton textile industry is in a state of world readjustment. Everybody seems a little frightened except the Japanese. Much dire disaster is predicted. Certainly further shrinkage in plant will occur. Some in England, some in America (probably in New England) but it would seem that there would still remain a place for Texas in this scheme of things. But this cannot occur until other events take place. Cotton textiles must compete with other investment opportunities and at the present writing they are at somewhat of a disadvantage. Conditions seem at work which may tend, though, to remedy this situation. Profits are narrowing in other lines familiar to the Texas investor and textiles are improving a little. It has been a hope that New England operators would be attracted to this State. Delegations have visited Texas and have been impressed favorably. But they do not seem to feel that it is a time for expansion, or large commitments anywhere, and then Texas is a long way from Fall River.

What, then, we may properly ask, has Texas to expect from these trends in industry? Much, it would seem, in a conservative long-run sort of way. The Southeast, which Texas would imitate, has had a long, slow, hard pull. They seem to have arrived, but it has been because war, reconstruction and dire need provided motives and character-tempering influences that are no part of Texas' background. Texas, too, will arrive industrially, but the forces and factors will be different. The Texas pull upon industry is the growing market tributary to Texas plant locations and the intensity of this pull will grow in more or less direct proportion to the growth of population. Eastern and mid-Western organizations will come in with branch plants when conditions justify. They will have to come, and they know it, if local competitive troubles are to be escaped. But market conditions must at least reach levels to justify the threat of some local competitor. Texas is on a competitive basis with most parts of the United States in unskilled, semi-skilled labor, and power. Taxes are not yet burdensome and the community attitude toward the labor question seems at least as hopeful to management as it is elsewhere. The state is acceptable when the market is mature.

In conclusion one should recall the position of industry in the Texas capital market. Texas is still a speculative area. The person with funds to invest has been accustomed to rather high rates of return. He has been and still is, willing to take the risk of complete loss with a fair hope of large gain. Real estate, agriculture, and trade have been offering ample opportunities to those so inclined with the result that a security salesman with a few 6 per cent items has been having a hard time disposing of his wares. These conditions are changing. Risks are increasing and profits shrinking in many speculative lines, but it would seem safe to predict that other changes must occur before manufacturing with narrow margins of profit will become very attractive to the average Texas investor. Until Texas becomes *satisfied* with *reasonable* profits—profits that would seem truly magnificent to the East, local industrial financing must continue to prove difficult.

BOOK REVIEWS

EDITED BY O. DOUGLAS WEEKS

University of Texas

Willoughby, Westel Woodbury. *The Constitutional Law of the United States*. (New York: Baker, Voorhis and Company, 1929. Three volumes, pp. lxxxiii, 624; xvii, 701; xvi, 697.)

The new edition of Professor Willoughby's treatise on constitutional law is an excellent contribution to the literature of the subject. While the author has as his objective the discussion of fundamental propositions of constitutional law rather than the preparation of an encyclopedia of judicial decisions, the three volumes contain references to most of the Supreme Court decisions which can be considered as of major importance. To indicate the scope of the work would be to circle the boundaries of constitutional law.

The importance of the decisions of the Supreme Court has at times obscured the fact that for the most part the court's contribution to the development of constitutional law has been secondary. Except for the comparatively rare cases where the court has thrown out broad hints to Congress pointing the direction in which that body should proceed in order constitutionally to accomplish the purpose which it clearly intended, the action of the court has been confined to approving or refusing to approve courses laid out by Congress. It has been the legislative body which has given direction to constitutional development; the court has approved, or in withholding its approval has left the determination of an alternative course to the ingenuity of Congress. Not all constitutional law can be found in the cases. Recognizing this, Professor Willoughby has added largely to the value of his treatise by discussing the provisions of congressional enactments even where judicial decisions have not followed.

As an illustration of the comprehensiveness of the work, the part dealing with interstate and foreign commerce may be noted. There are eighteen chapters comprising 375 pages devoted to this branch of constitutional law. Three chapters are devoted to the definition of interstate and foreign commerce, Federal regulation of commerce, and Federal legislation in regulation of commerce. There is a chapter on each of the following subjects: anti-trust acts; unfair competition; maintenance of resale prices; interstate commerce and labor; other Federal legislation under the commerce clause; navigable waters; and the exclusion of persons and commodities from interstate and foreign commerce by the Federal government. In eight chapters the subject is considered from the standpoint of state action, chiefly under the police and taxing powers.

The author has been assiduous in his study of the recent cases and legislation. The treatise gives an excellent view of the entire field of the law of the United States Constitution. In any particular phase of the subject it will be convenient for its statement of the present position of the court and its guidance into the earlier cases on the subject.

As is inevitable in any work of the scope of the present one, some errors have crept in. Thus, on page 1070 the author states incorrectly the holding

in *Hatch v. Reardon*. Such errors, however, are insignificant in view of the contribution of the treatise as a whole.

IRVIN STEWART.

American University.

Crane, Verner W., *The Southern Frontier, 1670-1732*. (Durham: Duke University Press, 1928, pp. xvi, 391.)

Out of a vast amount of information which he has gathered together from both sides of the Atlantic, Professor Crane has constructed the story of the three-cornered rivalry that went on among the English, French, and Spanish nations for the possession of the southeastern part of what is now the United States. He has dealt with a chaos of unfamiliar facts and names and he has succeeded in bringing as much order out of them as seems possible, if everything is to be included. But it will be nearly an impossibility for the reader to keep in mind a majority of the Indian names that will confront him. He will find it no easier to keep in proper order a thousand crooks and turns in the interminable border bickerings that went on among the English, French, Spanish, and their various changing Indian allies and enemies. This not to find fault with Professor Crane; he has handled his details with considerable skill.

And it is not all detail. A number of bold movements flow throughout the study—important contributions to the history of the American South-east. The center of the story is the rivalry of England, France, and Spain for this region. Their activities were far-flung and bitter. The immediate object of their desires was the fur business or more exactly the trade in skins. Fur traders and Indian agents threaded their way in an unending maze through the wilderness, making their agreements and contacts with the Cherokees, Creeks, and Choctaws. The Spaniards approached from St. Augustine, the French came in from the lower Mississippi Valley, and the English pushed out from Charleston. With so many suitors, the Indian could not help being inconstant in his affections, making it necessary for the rivals to be continually on the alert for changes.

This study deals more particularly with the activities of the English, and, of course, South Carolina (the southern part of Carolina) occupies the center of the stage. Though the fur business absorbed almost the whole attention of the young colony, the trade in Indian slaves was not without significance. Although the Lords Proprietors owned through a grant from the English king this great Southeast, various land visionaries with and without the sanction of the proprietors were frequently promoting their schemes and bubbles both east and west of the Savannah. In this capacity such characters as Daniel Coxe, Thomas Nairne, and Price Hughes flitter into and out of the wilderness. With somewhat different ambitions Henry Woodward and Alexander Cuming stride frequently across the stage. In his final chapters Professor Crane brings the settlement of Georgia into its proper background, showing that it was only one of many efforts that had been made to push British dominion to the southward against the Spaniards. It plainly appears from this study that the English imperial policy of expansion and conflict with the French was worked out and applied to the southern border earlier than to the northern frontiers.

Professor Crane has based his study on a widespread use of the documentary sources, a list of which he gives in a bibliography. As the study has been carried on distinctly from the angle of the British activities, he has made much less use of the Spanish and French documents than of the English.

E. M. COULTER.

University of Georgia.

Ellwood, Charles A., *Man's Social Destiny in the Light of Science*. (Nashville: Cokesbury Press, 1929, pp. 219.)

It is unfortunate that we have no absolute scale of human values. With such a scale at hand the writing of *Man's Social Destiny* (and the reviewing of it) would have been infinitely easier. But in that case perhaps both would have been unnecessary.

If we really knew what is good for us, it would be a comparatively simple task to discover whether we are moving forward or backward and how fast. The only problem remaining, a problem of some difficulty to be sure, would be that of hastening our movement toward perfection. But what is perfection? The answers are almost as numerous as the answerers. And to the everlasting confounding of their critics they define their goals so vaguely as to escape completely the definite contradictions of fact.

The world, says Professor Ellwood in substance, is retrogressing just at present, becoming worse. The reader looks in vain for enough specific evidence to bear out so sweeping a conclusion. True, the failure of democracy in Russia and Italy is mentioned, as well as the modern fashion of wearing little clothing, and it may be conceded that these changes are retrogressions. But they appear to be very slight in comparison with the items on the other side of the ledger. Can we overlook, for example, the marvelous achievements of preventive medicine, which have doubled the length of our lives; or of mechanical ingenuity, which has given us wings; or of education, which is rapidly dispelling the gloom of illiteracy from the earth? "Yes, yes," Professor Ellwood would probably agree, "these things are all very well as far as they go, but there are spiritual values to be considered, higher values of much greater importance." These additions to health and mobility and length of life may even be a positive detriment. On page 51 we read, "Certainly there have been ages with but little knowledge of the physical sciences happier than our age with its abundant knowledge." Possibly this statement could be successfully disputed; certainly it can never be proved as it stands. But argument on this issue would be beside the point, for on page 77 we learn that "When once we have gotten rid of the illusion that the end of man's life is happiness, we shall have little hesitancy in pronouncing nature friendly to human achievement."

What, then, is the end of of man's life? Professor Ellwood presents conflicting notions, but nowhere in his book gives a clear statement of it. Under such conditions argument is not only futile; it is impossible. And to the contention that the world grows worse and worse, a paraphrase of the old joke about *Punch* supplies the answer: "Well, it always did."

CARL M. ROSENQUIST.

University of Texas.

Patterson, Caleb Perry. *American Government*. (Boston: D. C. Heath & Co., 1929, pp. viii, 888.)

More and more the introductory course in American government is becoming technical, requiring for adequate presentation of its essential features textbooks that reflect and analyze the persistent yet ever slightly divergent processes of our government. This tendency is an inevitable part of the standardization of the course for college and university students. A new text for such an audience must be planned and executed with certain clearly defined objectives in the mind of the author if it is to assume a competitive place with the several excellent texts that are now available. It must, for instance, not merely describe adequately our political institutions, define their functions, and assign satisfactory explanations for their growth, but must do so more clearly or more convincingly than others have done; it should seek to integrate the various dynamic factors and social interests that contribute to or find expression in government; and finally, as a supreme measure of its excellence, it should expand the horizon of our information by its presentation of the new tendencies accompanied by an incisive analysis of their importance. Professor Patterson's *American Government* squarely fulfills these requirements.

The organization of the material follows, in the main, the conventional method of discussion. One part is devoted to National Government, another to State Government, and the last to Local Government in which both municipal and county governments are treated. Part I is devoted to Theory, in which the commonly accepted principles of political science are briefly stated concerning the nature of the State and of government.

The hand of the careful historian and the analytical powers of the political scientist are impressively displayed in the chapter, "Genesis of American Federalism." The whole period of political origins in the United States is revitalized and projected into the present. Every significant phase of early government and each effort at union is so minutely emphasized and so directly related to our present system that any college student can clearly comprehend the profound significance of our federal heritage. The same scholarly precision and practical realization of major movements mark the author's treatment of the Articles of Confederation, the Drafting of the Constitution, its Principles, and its Development.

The chapters bearing on the President, his Cabinet, Executive Departments, and the Independent Departments, as well as Reorganization of Administration are remarkably refreshing in both point of view and thoroughness of treatment. In this connection must be mentioned the chapters relating to State Administration, Municipal Administration, and County Reorganization, all of which in common with National Administration serve to indicate that administration is the very heart of government and must be wisely protected by proper statutes and constitutional provisions. The material in these chapters is thoroughly in accord with the best thought of government experts and indicates, without assuming the alarming clamor of the mere reformer, the need for further development in efficient government.

One of the outstanding contributions that Professor Patterson has made to the textbook literature on the subject is the thought, as formulated on page 301: "The boards and commissions of the National Government . . .

have developed a network of relations with State boards and commissions in charge of kindred subject matter which practically amounts to a new political order of vast proportions and significance in the field of federal relations." The uniqueness of this expression is further developed to show how vast is the amount of extra-legal, and therefore extra-constitutional, work that is performed by the two units of our dual system of government.

The chapters on political parties and their operation in both National and State government are extremely interesting and informative. The history, activities, functions, and achievements of the several political parties in the United States are discussed with sympathy and accuracy, without bias or condemnation where personal prejudice could easily be excused, and in a style distinguished for its conciseness and precision.

For once the judicial system, National and State, is discussed with an understanding commensurate with its importance in a college textbook. Too often this branch of government has been neglected in the textbooks, probably because much of the subject matter is deemed too technical for students in the elementary course. Professor Patterson does not stop with a perfunctory description of the organization of the court system, but analyzes with characteristic thoroughness and vividness the functions, powers, and work of the judiciary.

The chapter on Federal Centralization is a complete departure from other textbooks, and will no doubt be welcomed by teachers who want something different and at the same time something that is both pertinent and interesting. Those teachers who may regret the absence of a separate chapter on foreign affairs will be compensated by this substitution, for the conduct of foreign affairs is adequately discussed in connection with the President, his Cabinet, and the Senate, a method that has the merit of logic.

As might be expected in a first edition, the book is not free from some regrettable errors, some of which are only trivial and do not in the least detract from its excellent qualities; such as typographical errors on page 707, where "casual" is used in connection with challenges to the jury, and on page 709, the word "triad" appears for "trial." The comma has been used sparingly. The use of italics instead of heavy type to announce paragraph topics sacrifices the utility of attracting easily the eye for considerations of beauty and symmetry. There are occasional lapses in paragraph structure, as on page 805: "The county was the basis of representation in the colonial assembly" has no relation to the rest of the paragraph which it introduces. Likewise the statements on page 273 relating to the members of the Cabinet and Congress tend to confuse the mind of the student; he does not instantly grasp the precise meaning of the term "change."

The reviewer is not prepared to go all the way with the author in his doctrine of coercion by the National Government against the states, asserted to be found in the Constitution. Though the Constitution uses "shall" in many instances relating to the states, it is doubtful if it amounts to a "command." As to the "coercive" power of the courts over the states, it would seem that the theory of the "grant of powers" to the National Government would negative the idea of coercion by its judicial branch over the states. The Supreme Court recognized the limits of its coercive power in the several suits between Virginia and West Virginia over the payment of a claim asserted by the former against the latter. Again, on page 545, it is stated

that "The Constitution . . . expressly conferred the power of judicial review upon state courts in the supreme-law-of-the-land clause." A few state courts had already exercised this power in passing upon the validity of state laws as determined by the State Constitution. Such power could hardly be "conferred" by the Federal Constitution if the power had already been exercised. The statement may be sustained only in cases involving the Federal Constitution, statutes, or treaties before state courts, but as it stands it seems to be too broad.

This book is a credit to both Professor Patterson and the publishers; it is a sturdy volume in every respect—in its contents and its craftsmanship. The author has exercised wise judgment in utilizing the historical, economic, and juristic methods of approach, and in appropriate portions giving due consideration to psychological and sociological interpretations to the political phenomena in the United States. It is a worthy predecessor of other books to follow in the *Heath Series of Political Science*, and will without question be warmly received by all teachers of American Government.

H. H. GUICE.

Southern Methodist University.

Dawson, Carl A., and Gettys, Warner E., *An Introduction to Sociology*. (New York: Ronald Press, 1929, pp. vi, 866.)

Although it is true that of the making of many textbooks in Sociology there is no end the present volume strikes the reviewer as unique in at least three particulars: (1) It is the first general text presented from an almost purely ecological point of view. Anderson and Lindeman attempted the same sort of thing for urban sociology last year. This may be taken as evidence of the maturity of the concept of human ecology for which we are most indebted, perhaps, to Robert E. Park. Although he would probably be the first to deny originality and priority in the matter, I should not be surprised if his name were attached to human ecology by future historians of American sociology as Cooley's will be to primary groups, Ross's to social control, Small's to "interests," Thomas's to wishes, attitudes, crises, and values, Gidding's to gregarity, Ward's to telesis, etc. (2) Dawson and Gettys have largely avoided the orientation flavor which pervades so many previous texts. They plunge at once into sociological material by way of the "Local Social World" and manage to introduce the student in the first chapter to twenty-five or more basic concepts. By the time he has mastered the first three chapters, he has a fairly adequate sociological vocabulary and point of view. This is achieved without recourse to the formal method of definition with its resultant terminological fright. The case materials are sufficiently interesting to carry the story. The student will learn without knowing that he is acquiring a more or less technical vocabulary. (3) The authors have reserved for Part V two short chapters on "The Sociological Movement" and "Sociology, Its Field and Methods." This material is given at the beginning of most texts. Perhaps the Dawson-Gettys method is better pedagogy even though it may seem less logical. Personally, I think some time can be spent profitably at the beginning of the first course in presenting the idea of scientific method as applied to social data, emphasizing the fact that sociology is a natural science and that social phenomena are natural phenomena. Although our authors take this point of view, and

expound it implicitly throughout their book, I think it should be made explicit early in the course and repeated frequently. The authors are to be commended for omitting the usual final chapter on Progress—whatever that is. The book is refreshingly free from moralistic appraisals and exhortations—as in the chapters on War and Race Conflict. The presentation is strictly an attempt at objective description of the sociological processes involved with no attempt to tell us what we should do about it.

Part I is called "The Community." The first chapter deals with the local community, presented largely by means of extracts from Zorbaugh's "Gold Coast and Slum." The two following chapters deal with typical social institutions, family, occupation, government, religion, mutual aid (social work) and play. Almost half as much space is given to the first as to the other five, yet without any explicit statement of the (to me) indefensible cliché that the "family is the most important institution." Part II reveals most clearly perhaps the indebtedness of the authors to Park and Burgess. Under the heading of "Processes and Products of Social Interaction," we find our old friends Conflict, Accommodation, and Assimilation. (Where is Competition?) The first two chapters deal with "Selective Distribution of Peoples and Institutions (good ecology) and the last, one of the best in the book, with "Social Order." Here the "organic concept" of Cooley is incorporated with the "cultural" point of view under a general ecological approach. It is brief but suggests a very interesting synthesis of these three fundamental approaches. Part III, "Society and the Person," gives us our first taste of biology and subordinates it to the person in true sociological fashion. The third chapter in this section, dealing with "Social Control," seems somewhat out of place. Part IV, "Social Change," considers the indexes and processes of personal and communal deterioration, ending with a chapter on social reorganization through social movements (P. & B.'s "Collective Behavior"). The logic of the treatment would seem to suggest personal reorganization through case work, mental hygiene, etc., as well as social reorganization by other means than mass movements. There is some suggestion of the latter, but it is very brief.

Features of the text are outlines at the beginning of each chapter, a good set of questions and references at the close and a "Study Manual" of research problems for each chapter in an appendix. The Ronald Press is to be congratulated for a very attractive typographical job. There is a great deal of quoted material in the book. It is very well selected and skillfully incorporated with the text so that it illustrates the points being presented. The authors have not paraphrased their quotations as many do who use this method. They have succeeded in maintaining a continuity which few authors achieve who try to combine source materials with systematic presentation. The result should be a very teachable text.

READ BAIN.

Miami University.

Stewart, Frank Mann, *The National Civil Service Reform League, History, Activities, and Problems*. (Austin: University of Texas Press, 1929, pp. viii, 304.)

The present senatorial investigation of lobbying has aroused interest in the influence of organized groups on legislation. It has also produced considerable uncertainty and confusion of thought. What is a lobby? Under

what circumstances and to what extent is it legitimate to bring pressure to bear on legislative bodies? When is lobbying "good?" When is it "bad?"

Dr. Stewart's account of one of the oldest and most respectable of American reform organizations is timely. Here is the story of a "good" lobby; an organization which for nearly fifty years has brought pressure to bear on Congress and on state legislatures, but which no one has ever seriously charged with selfish or pecuniary motives. Civil service reform has been ridiculed as "snivel service reform," "dry rot," "a Chinese system," etc., and its leaders have been characterized as "goody-goodies," "political eunuchs," "mugwumps," and "visionaries." Its list of achievements is impressive, particularly in the earlier years. To its credit may be listed the passage of the Pendleton Act of 1883, which stands today without amendment as the basic law of the federal civil service; the civil service laws of New York and Massachusetts (the author might have added Illinois); the extension of the merit system to various groups of federal employees; the defeat of various attempts to repeal or amend merit laws; and other achievements.

Dr. Stewart's description of the methods, achievements, and problems of this important "pressure group" is an excellent piece of work. It represents a useful contribution to a newer type of studies of government and politics which emphasizes the actual working forces in a democracy rather than its legal and formal aspects. His sketch of the spoils system in the national government, the early attempts at reform, and the extension of the merit system under various presidents from Cleveland to Coolidge, is the most satisfactory the reviewer has seen. Part II, "Activities and Technique of the League," represents a painstaking study of the content of the League's propaganda from its inception in 1881, and a very fair appraisal of its effectiveness. In Part III, "Problems of the League," the difficulties of the League are carefully analyzed and concisely stated. The most pressing of the present problems of the League is that of finance. It is more and more difficult to persuade people to contribute to a cause which does not appear to bring them direct returns.

No one can read Dr. Stewart's account of the early history and accomplishments of the League without a feeling of respect and admiration for the pioneers who fought the strongly entrenched and corrupting influence of the spoils system. In a day when practically every public office was regarded as a potential reward for partisan activity, these men were not popular. They showed courage, perseverance, and intelligence in a high degree. Their motives were above reproach.

What of recent times? The economic and political problems of 1929 are vastly different from those of 1881. Have the objectives and methods of the League kept pace? Dr. Stewart implies that they have not. (Page 88 and following.) He might have been even more positive on this point. To the present generation of students of government it appears that the League is using antiquated methods at a time when the latest and most scientific methods are demanded. The old reformers who still predominate in the councils of the League, persist in thinking of civil service reform as primarily a moral issue. They prefer to denounce and "view with alarm" rather than to regard their problem as one of scientific personnel administration. The last ten years of American political history should have convinced anyone that moral indignation is not sufficient to solve the great problems of

government and administration. Because of its insistence on the moral issue, its failure to recognize the constructive possibilities of modern personnel administration, its inability to interest younger men in what was to the old leaders a crusade against unrighteousness, the influence of the League in Washington and in the state legislatures seems to be growing steadily weaker.

It is not easy to find fault with any part of Dr. Stewart's book. The plan of the study and its execution are well done. The combination of historical narrative with description of methods and discussion of particular activities, results in some repetition, but this has been reduced to the minimum. Only one typographical error is noted. The name of one of the first Civil Service Commissioners was Leroy D. Thoman, not Thomas (page 88). The book is written in a clear and interesting style.

JOSEPH B. KINGSBURY.

St. Johns College, Maryland.

Smith, Munroe, *The Development of European Law*. (New York: Columbia University Press, 1928, pp. 316.)

It is extremely difficult to evaluate this collection of lectures on the *Development of European Law*, especially when one makes no pretense of being a historian, legal or otherwise. Necessarily the value to a particular reader will depend on what he expects. The lectures, delivered at Columbia University by Professor Smith, late Bryce Professor of European Legal History, as a course on European legal history, primarily for students of government and history and incidentally for such law students as might be interested in the development of continental law, occupy in book form 316 pages with an additional 26 pages of foreword by Judge and Professor John Bassett Moore and introduction by Professor Smith. To attempt to cover in such a short space, so vast a field as the evolution of law in Western Europe would be indeed to attempt the impossible, if it is done thoroughly. For this reason the student who wishes to go into the intricacies of a complicated development must eventually turn his attention to the more voluminous German legal histories and such recent excellent French works as those of Professor Declareuil and the late Professor Chenon, or, the older works of Viollet, Glasson, and Tarde, and then, from them, to the available source material on law in Europe during the Middle Ages. Some of the foreign text material has been made available in English through the publication of the *Continental Legal History Series*, but as far as the writer knows there is, aside from the present publication, no work in any language which attempts to give a picture of the development of European law as a whole. The various histories already referred to, while they often give a survey of the overlapping evolution down to the disintegration of the Frankish Empire, deal primarily with the history of the law of France or Germany and therefore the student interested in general developments must necessarily piece the picture together fragmentarily from the national histories, very much as was done in the publication of extracts from various continental works in the *General Survey of the Continental Legal History Series*. Also development in France, Germany, and other countries after the breaking up of the Frankish Empire is in a number of instances so dissimilar as to make a

general dovetailed perspective impossible. But, even to such a student, Professor Smith's lectures should serve as a valuable introduction in the nature of a general survey of movements.

To one whose knowledge of legal history is acquired vicariously a reading of the collection should prove to be well worth while. The contents are divided into three parts or books. The first deals with early German law; the second with the interpenetration of Roman and Germanic law with special emphasis on Germanic kingdoms established on Roman soil and the later Frankish Empire; and the third, under the title disintegration and reintegration, with such subjects as feudalism, Canon Law, the Law Merchant, local customs and Roman Law in the different countries now making up modern Western Europe. The style is simple and direct and the author through his frequent references to modern institutions having their origin in Germanic customs or law, such as the morganatic marriage, keeps up interest which might otherwise flag. As a whole the interests of the student of government or law, particularly of the latter, in this country or England are apt to be self-centered. Modern governmental or legal institutions occupy the center of the stage and when historical background is gone into at all it is usually from an internal point of view. While the development of English law and institutions is usually looked upon as a separate internal development they had their foundation in Germanic and Roman law and institutions, and much of value, in addition to purely cultural knowledge, can be gotten from a survey of their development on the continent with the resulting opportunity for comparison. The survey given in these lectures should afford an excellent opportunity for such a comparison without the labor entailed in reading the fuller and more complete continental histories. It is to be regretted, however, that the lectures are not annotated to the sources from which Professor Smith drew. Modern continental legal histories are replete with citations to original source material as well as to other historical data and these annotations serve the useful purpose of indicating to the intensive as well as to the casual student or reader material in which he may find fuller discussion or points of view other than those of the author.

GEORGE WILFRED STUMBERG.

University of Texas.

Lictervelde, Comte Louis de, *Leopold of the Belgians* (translated by Thomas H. Reed and H. Russell Reed). (New York: The Century Company, 1929, pp. xi, 366.)

In the popular mind the worst evils of modern imperialism are epitomized in the history of the Congo Free State under the Leopoldine regime. The effect has been the creation of a generally unfavorable impression of the monarch who was Belgium's king from 1865 to 1909. One of the purposes of this volume is to correct that impression. It is, however, far more than an *apologia* for Leopold II; for it affords a striking picture of the Belgium of that period. It shows the able, energetic, patriotic, strong-willed king struggling against the bitter factionalism of Belgian parties in behalf of what he conceived to be the true interests of the state. In this battle of opinions he did not always remain neutral; for he often used all the influences at his command to form public opinion. That he chafed under the restraints of Parliamentarism and rather despised its endless wrangling is

quite obvious. That he sought to make Belgium great and respected is equally obvious. To do this he sought to induce the Belgians to develop a wider point of view, to decide for themselves that the smallness of their territory in Europe must not doom them to unending insignificance, but should be an incentive to achieve successes in other parts of the world. To achieve these ends he would improve Belgium's defenses both in fortifications and in trained forces, would embellish his country with beautiful and useful buildings and public works, and would secure for Belgium a colonial domain.

The last of these was first achieved. After looking about elsewhere without success, he found a situation ready-made for his purposes. That situation was created by England's failure to grasp the opportunity opened to it by Stanley. With the grudging assent of the Parliament, Leopold carved out an immense state in the heart of Africa. Failing to secure adequate support in Belgium for his enterprise he had to fall back upon the resources of his colony or else admit failure. The result was success for his enterprise but worse than misery for the Congolese. Perhaps, as the author claims, a narrow, factious Parliament must share the blame for the so-called atrocities. The point is also made that the system in the Congo had counterparts in the colonies of states that were most critical of that system. At least Leopold had succeeded in much of his program. The vast sums realized from his African enterprise came to sustain an ambitious building program at home. And at the end Leopold could bequeath to his people a colonial empire of vast proportions and potentialities.

Within Europe Leopold proved his ability to play a winning diplomatic game. He seemed to have certain premonitions of trouble ahead; so he redoubled his efforts not only to secure definite commitments from England and France but also to secure the adoption by Parliament of an adequate program of defense. England withheld promises, but the events of August, 1914, show that he was substantially successful in his whole program.

It is a volume well worth reading. The style and the method of approach are excellent. Furthermore, the translation is faithfully, even happily, done.

CHARLES A. TIMM.

University of Texas.

Merriam, Charles Edward, *Chicago: a More Intimate View of Urban Politics*. (New York: Macmillan, 1929, pp. 305.)

Out of the richness of his knowledge as a political scientist and his experience as an alderman, candidate for mayor, and resident of Chicago for twenty-eight years, Professor Merriam draws a keen analysis of Chicago as it is and has been. A brief sketch of the history and economic background of Chicago helps to explain the political situation of this city of 4,000,000 with a history of less than a hundred years. The author's firm conviction that "as goes the city, so goes the nation," and that, unless there is a change in modern social trends, the future of democracy rests with the cities, lends added significance to the study.

Perhaps "study" is not the correct term to apply to a work so brimming with human interest, though rather frequent reference is made to books, reports, and unpublished manuscripts. In spite of his closeness to the situation, Professor Merriam has been able to look at his city objectively, to see

its virtues and its vices, to maintain a tolerant attitude, and to throw in considerable humor, some at his own expense.

The Chicago of the "Big Fix," the gangsters, and the racketeers comes, he says, as the result of the alliances of the Underworld with the Upperworld, the confused attitude of the public toward the enforcement of laws, the multiplicity of governments, the heterogeneity of population, and other political, social, and economic causes. After all, Chicago is no worse than other large cities, which have the same kinds of problems. Dr. Merriam hopes that, as Chicago outlived the terrible scourge of the Great Fire, so it will outlive the pestilence of grafters and racketeers. Even as it is, there is the city of builders, the Chicago with a magnificent city plan, a unified municipal court system, organized efforts for public welfare, a good system of schools despite some untoward publicity, agencies devoted to research and to cultural and humanitarian purposes, and some very excellent leaders. Of all these Dr. Merriam is justifiably proud.

Particularly good is the analysis of the many governments, visible and invisible, that exist in Chicago, political parties with their various factions, civic organizations, business, labor, and the middle class. There is, too, the analysis of cross currents of race, religion, regions, sex, and the press. But the book becomes most interesting when Professor Merriam describes in his inimitable manner some of the Chicago leaders, including Samuel Insull, Julius Rosenwald, and Frank J. Loesch, as well as the strictly political leaders such as Deneen, Thompson, Brennan, the two Harrisons, and others. Dr. Merriam's experiences on the Council and in primaries make the most graphic material of the book. He relates a number of incidents in which his own cleverness redeemed a desperate situation, one of which, his successful fight for a billboard ordinance, he terminates by stating his dismay at seeing soon afterwards a newly painted sign high on a roof of a building bearing the legend, "Vote for Merriam." This is typical of the touches of humor that run throughout the book. His position as a professor in politics, he remarks, was an advantage to him among the foreign-born, to whom a professor is a person of some importance, even if the term did bring down on his head a great deal of contempt in the course of his campaigns.

This is "a more intimate view of urban politics" by one who has himself been one of the city builders, who has used his influence in the direction of righteous progress, and who has faith in the future of his city. Chicago is fortunate to have had such a citizen and such an alderman.

The book will be of interest to all, particularly to dwellers in large cities. Its usefulness is somewhat impaired by the lack of an index.

FRANK M. STEWART.

University of Texas.

Lord Hewart of Bury, *The New Despotism*. (New York: Cosmopolitan Book Corporation, 1929, pp. 311.)

The purpose of this volume is to point out the dangers to the liberty of the subject in Great Britain that are involved in the development of an administrative justice, which the author regards as a matter of lawlessness or "hole and corner justice." A bureaucracy, it is alleged, is taking over the problem of legislation from Parliament and is invading the field of the

courts of law in the administration of justice. Parliament, because of a lack of time and knowledge, is delegating legislative authority to administrative agents and at the same time giving these agents final authority in adjusting the disputes arising between subjects or the government and the subjects over such legislation. This tendency in the mind of the author is a return to Star Chamber procedure so bitterly contested in the days of the Tudors and the Stuarts and, therefore, renews the fight of the subject for his liberty, of which the courts of law have always been champions, in the struggle against executive despotism.

It is also shown that this tendency threatens the independence of the courts of law in that legislation has been proposed, although it has been defeated so far, to require the courts to render advisory opinions to the administrative agents on hypothetical questions to be regarded by such agents as rules of law to be applied by them in the performance of their duties. It is further alleged that the movement to establish a department of justice headed by a layman minister, a politician, who would exercise the power of nominating the higher judges now exercised by the Lord High Chancellor, is a part of this sinister and subtle conspiracy for the executive to acquire control of the judiciary. This change, if it were made, it is contended, would make the English bench the spoils of the politicians, who are unfamiliar with the English bar, its ideals, standards, and traditions, and, therefore, incapable of recommending suitable material for English judgeships. Moreover, since the time of English ministers is primarily consumed with politics, it would work out that some little bureaucrat, unknown and irresponsible, would really control the appointment of English judges in contrast with the present method under which the Lord High Chancellor, usually a former Attorney General of Great Britain, and, therefore, head of the English bar, performs this function. The noble Lord is very much excited over these tendencies which he thinks are doing violence to the best in English judicial tradition and will, unless they are checked, place tremendous power in the hands of dangerous and wreckless agents. Without criticizing the system of administrative justice on the Continent, although his hostility toward it is obvious, he contends that this new development in Great Britain would be even worse because there is no *droit administratif* as in France to give it even a coloring of a true system of law.

It is urged by the author that these tendencies should be checked by the development of an enlightened public opinion, by the establishment of a legislative committee in the House of Commons to scrutinize all proposed bills to see that no legislation is passed, conferring judicial power on administrative agents, and by the appointment of a member from each of the staffs of the leading newspapers to watch for such legislation and to expose its character to the public. He seems to overlook the possibility, or probability, or even the fact that the court system might be or is at fault to at least a small degree.

There is very little new, if anything, in this study to students of public administration. It is a bit discouraging, though true to form, to learn that the strict legalists have just discovered this menacing revolution, and it is pathetic although the expected to find that their remedy is the return to the *status quo ante*. This is, of course, prescribing the cause of the trouble as

its remedy and a typical example of the axiomatic logic employed so frequently by the bench and the bar. The remedy is a bench and a bar trained in the humanities and dedicated to the service of society rather than their own ends, an improved judicial technique with sufficient and capable fact-finding agencies to present to the courts an adequate basis for the settlement of the questions which modern society is constantly raising. If the application of this remedy should make administrative agents of the courts, then society would probably be the gainer. Is it impossible for administrative agents to administer law and justice? It seems never to occur to the ultra-legalist to question the assumption that only the regular practitioner and the judge on the bench can know law and, therefore, administer justice. Here again his dogtail form of reasoning enables him to complete his circle with perfect satisfaction. While he reclines supinely in the comfort of his perfection, society is quietly but surely developing new administrative machinery which in its opinion is more adapted to its purposes.

C. PERRY PATTERSON.

University of Texas.

Priestley, Herbert Ingram, *The Coming of the White Man, 1492-1848*. (New York: The Macmillan Company, 1929, pp. xx, 411.)

Professor Priestley has turned from the direction of others in the preparation of excellent studies in the institutional history of colonial Spanish America, to the production, on his own account, of a social and institutional history of Spanish, French, and Dutch beginnings in North America, with special regard to the present area of the United States. This volume is number one of a series called "A History of American Life," edited by Professors Schlesinger and Fox. The object of the series as a whole is to "present a complete history of American life—of the actual everyday life of the people, as it has developed from the days of the first tiny communities of English settlers, to the great modern cities of today." The purpose of the volume assigned to Professor Priestley is to furnish "standards of comparison" for the better understanding of our local history which we call "American." He pictures, therefore, necessarily in rather broad strokes the types of civilization that grew up in New Spain, New France, and New Netherlands, for "such pictures have a special interest as by similarity or contrast they bring out the colors of that fuller view of the Anglo-American settlements growing into the community of the United States."

Although the author endeavors to picture life within those frontier areas, once occupied by the French and Spaniards, and now incorporated within the United States, he by no means seeks to confine his descriptions to those geographical areas. Particularly with reference to the Spaniards, major consideration is given to society within the settled areas, notably to Mexico City itself. In explaining this mode of treatment, Professor Priestley says, "To judge the influence of Spain in North America by the meager results of daring *entradas* or by the social development of Florida or Texas or California is to misinterpret an important phase of the subjection of the New World to European ideals. We must get back of the frontier to the type of life developed in old Mexico." Therefore, while according considerable attention to frontier institutions like the mission, presidio, and municipalities, and life and customs relating to mining, agriculture, and grazing,

he also takes us back to Mexico City to describe in even greater detail social customs, law, arts, and letters. A great number of interesting subjects are hastily passed in review, but unfortunately the space is too limited to admit of a detailed discussion of any one. It would be manifestly unfair to criticize the author for the omission of these details, since his prime concern is selection in order to present perspective of colonial life. This task Professor Priestley has accomplished remarkably well, and as only could be accomplished by an expert in Mexican history.

The chief value, to the reviewers at least, of the chapters on French and Dutch policy, life, and institutions, is to be found in the comparative survey of European land systems, Indian policies, religious policies, social customs and the like in the American colonies. Regarding the land systems he notes that the French applied the basic principles of their land system at home to Canada, and in part to Louisiana, whereas Spain endeavored to get away from the vestiges of feudal form under which colonization began (i. e., the *encomienda* system).

As to the Indian policy he says, "In this preservation of the natives [the utilization of the tribal or village organization for providing pressed labor gangs] Spain's policy was comparable to that of the French in Canada, but in sharp and happy contrast with the English and Dutch policy of expulsion and annihilation. The Anglo-Saxon method was to treat the Indian as an alien and independent political entity with whom treaties of mutual exclusion could be solemnized so one-sided in application that white violation was the normal course of action. This left the aborigine entirely out of reach of the protective influence of the white social structure. On the contrary, while the Spaniard did occasionally recognize the treaty-making power of the Indians—the customary practice denied them such status, and contemplated complete absorption in race, religion and exploitation." In criticism of Parkman's epitome, "Spanish civilization crushed the Indian, England scorned and neglected him, while France embraced and cherished him," Dr. Priestley observes very wisely that each group of white men used the Indians for its own purposes as conditioned by the character of the white men, the kind of Indians found, and the economic possibilities of their country. "The imputation of vice or virtue," he says, "to the attitude of any white nation surely overlooks the self-interest under which each worked, and seeks to impose secondary psychological reaction as prime factors."

The Coming of the White Man is a scholarly, scientifically interpreted, yet withal an interestingly written, analysis of the salient features of European, to the exclusion of the English, civilization in America. It will supply a great deficiency in the collateral reading of students in courses in Latin-American history, for social and institutional studies are all too few in that field. Also, its value as *corrective reading* for students in courses in American history, will be very great. To the general reader, it should be entertaining and informative reading on new and novel subjects. In conclusion, attention should be called to the numerous fine illustrations and the valuable explanations of each one.

J. LLOYD MECHAM.

University of Texas.

Salter, J. T., *The Non-Partisan Ballot in Certain Pennsylvania Cities.* (Norman, Oklahoma: The Transcript Press, 1928, pp. xv, 257.)

The Clark Act was passed with little opposition by the progressively-disposed Pennsylvania Legislature of 1923. It substituted commission government for a bi-cameral council and mayor system in the twenty-eight third-class cities of the state, and contained a provision for the non-partisan nomination and election of four councilmen, a mayor, and a controller in each city.

The League of Third Class Cities in 1910 had voted to postpone indefinitely the question of commission government although a majority favored some modification of the form of government. In 1919 a repeal act was first defeated, then reconsidered and passed, then recalled from the governor, finally returned to him, and signed by him although he was on record as opposing it. Representatives from third class cities stood 16-6 and 16-12 against the repeal. At each of its meetings, 1913-1918, the League had favored unconditionally the non-partisan feature and seemed not to have changed its position in 1923. Dr. Salter consequently finds this repeal hard to understand unless the party organization favored it; he believes the Republican bosses found that the law lowered the Republican vote in Republican strongholds and further that they objected to the additional expense and effort necessitated by conducting two campaigns instead of one—a Republican nomination ordinarily being equivalent to election in Pennsylvania.

Dr. Salter essays to determine objectively and scientifically the merit of the non-partisan ballot by a comparison of certain conditions in third class cities during the two periods, 1913-1917 and 1919-1923. His study is an intensive and comprehensive effort to reduce the problem to quantitative terms.

Although the long chapter on the opinions of different persons,—elected officials, defeated candidates, newspaper men,—makes no pretense to definitive settlement of the question of merit, it contains much interesting material to show that people who will not vote on a basis of the candidate's qualifications if the party label appears, may do so if it is eliminated.

In later chapters he concludes that the voter's interest is about the same under either system, that the officers produced by the non-partisan ballot were superior to the others in education, occupation, and wealth; that in the main a partisan candidate will probably spend more money in his campaign under the non-partisan regime and an independent candidate more under the partisan regime; that the degree of partisanship persisting under non-partisan auspices is exceedingly difficult to assess; that the non-partisan ballot does not eliminate issues but rather simplifies their presentation; and finally he condemns the repeal of the non-partisan feature as unwarranted by the evidence revealed in his investigation. He reminds the reader that party designations for candidates for county offices continued to appear on the same ballot which carried the names of the candidates for city office without party designation, thus sharply reminding the voter of his party leanings in the voting booth when he was supposed to forget them, and also that this experimental employment of the non-partisan device occurred in a state where party affiliation is as rigidly exacting as it is in

almost any other part of the country except perhaps the lower South, in normal times. The profession will always welcome studies of the nature and quality of this one.

RALPH S. BOOTS.

University of Pittsburgh.

Bowers, Claude G., *The Tragic Era*. (Cambridge, Massachusetts: Houghton-Mifflin Co., 1929, pp. xxii, 557.)

One might expect the keynote speaker of the last Democratic convention to turn out a rather prejudiced account of *The Tragic Era*, the Radical Revolution after Lincoln. But Claude G. Bowers's work cannot be impugned with bias. It is to his credit that he has recreated in a just and highly impartial manner a period that has aroused much controversy. A journalist, Mr. Bowers might not be called precisely a scholar, yet he has gone into the source material of the period, into the periodicals, the newspapers, the congressional records, and such material as the unpublished diary of George W. Julian which he mentions as having been invaluable in the preparation of his work. He has documented his book well; few statements lack the authentic assurance of a footnote. His style is journalistic, pleasingly so. He recreates the atmosphere of the period with convincing reality. He could have been more sparing with rhetorical implications and various asides, but the book is distinctly readable.

The Tragic Era: the age of corruption in the war-torn South and the victorious North; the Radicals crushing the South to build up a political machine; the negroes lost in their new-found freedom and equality, their simplicity and cupidity beguiled by the carpetbaggers; the changed society in Washington;—these are some of the high lights in the volume. But one of the deepest appeals is found in Mr. Bowers's human analysis of the prominent leaders of the period. Andrew Johnson is presented in a favorable light, Thad Stevens drawn with striking severity. These sketches make their appeal with partisan sympathies and antipathies cast aside. It is perhaps unfortunate that in a few passages he makes a little too evident an analogy to the French Revolution and the Reign of Terror. It is legitimate, but it adds nothing to the historical value of the work; it is distracting to the reader. However, Mr. Bowers has done well. This work, following his others, commands the attention and the respect of historians.

RHEA M. SMITH.

University of Texas.

BOOK NOTES

In *Great Britain and the Dominions* (The University of Chicago Press, 1928, pp. x, 511) Sir Cecil J. B. Hurst and others attempt an exposition of the more recent tendencies which have expressed themselves in the relation of Great Britain and the Dominions in a general and gradual way in the last half century but in a more pronounced and rapid manner since the Great War. Three chapters are given to the Empire as a political unit, one to the Irish Free State, three to Canada, three to Australia, one to New Zealand, and two to South Africa. The economic and political problems of the units of the Empire that are included are discussed in the light of their local as well as imperial bearings.

The burden of these lectures, which were delivered at the University of Chicago under the auspices of the Harris Foundation except the one on New Zealand, which was especially prepared for publication, is imperial and foreign relations, in the conduct of which all students of the British Commonwealth realize that a revolution has taken place in the last decade—the end of which is not yet, but can be predicted with considerable certainty. This nebulous, protoplasmic, chaotic, and associated set of political orders, obsoletely called the British Empire and more accurately the British Commonwealth of Nations, is undoubtedly the most interesting and elusive political mechanism to be found in the whole realm of government and politics. It changes so rapidly that its *modus operandi* is quite as much a matter of prophecy as of reality. These lectures were delivered by persons who had been either in charge of certain phases of the affairs of this organization or intimately connected with them. They are, therefore, an attempt, I should say a successful one, to portray the workings of this organization in both imperial and international relations as seen through British eyes.

C. P. P.

Students of the classical political economy, and particularly of Ricardo, will welcome the publication of Ricardo's *Notes on Malthus* (pp. cvi, 246) by the Johns Hopkins Press (Baltimore, Maryland, 1928), edited with an introduction and notes by Jacob H. Hollander and T. E. Gregory.

The introduction is written by Professor Hollander, an outstanding authority on Ricardian economics. It is a masterly piece of work, well deserving to rank alongside Foxwell's classic introduction to Menger's *The Right to the Whole Produce of Labour*. Professor Hollander sketches the various episodes in the almost century-long search for Ricardo's *Notes*, including his own search in 1895, and tells how, through an accident, they were found in 1919. The controversies between Malthus and Ricardo on value, rent, the Corn Laws, agriculture and industry, and other economic theories and phenomena, are analyzed with gratifying carefulness and detail. Professor Hollander's interpretation of these controversies is already well known to students of economic theory through various essays he has published in the journals, but in the present *Introduction* he adds much additional matter and arranges his ideas and interpretations on a new and more comprehensive plan. He is, of course, strongly partisan to Ricardo, and one feels that Malthus does not always receive due credit for the points he undoubtedly scored, but on the whole little fault is to be found with Professor Hollander's analysis.

The *Notes* are carefully edited by Professor Gregory. They have great historic interest but scarcely add to our knowledge of Ricardo's system of economics. They are in the nature of a running criticism of Malthus' *Principles of Political Economy*, and the criticism is based on Ricardo's premises and preconceptions as set forth in his essays and his *Principles*. Yet they are invaluable as completing the works of Ricardo, the greatest figure in political economy other than Adam Smith.

E. E. H.

The main reasons for the explorations of Joliet and Marquette down the Mississippi River in 1673 was the desire to solve the great northern mystery, according to Francis Borgia Steck in his work *The Joliet-Marquette Expedition, 1673* (Quincy, Illinois: Franciscan Fathers, 1928, pp. xvi, 334), being volume VI of *The Catholic University of America Studies in American Church History*. The author uses the term northern mystery to refer to the mythical northwest passage into the South Seas; and around the search for this passage he weaves a discussion of the most important activities of Spanish, French, Dutch, and English explorers in North America. Almost half of the book is taken up with these expeditions before Joliet and Marquette are reached, and only one chapter, of fifty pages, is concerned with the discoveries proper by these two Frenchmen. The latter part of the book is concerned with certain points of dispute that have arisen concerning the expedition.

The book, therefore, was not intended to be a detailed description of the expedition; instead it is of a polemic character. It is the purpose of the author to show not only that an important motive for the expedition was to find the northwest passage but also that Joliet and Marquette did not discover the Mississippi River in any sense of the word. He points out that the Spaniards had seen the river on numerous occasions a century and more earlier and that their findings had become known to the world. Furthermore, he ably shows that Marquette was not in charge of the expedition and that the well-known account was not written by him. These honors should go to Joliet. He also brings out the background of French development in Canada for a decade before the expedition and shows that the undertaking was partly spurred on by a desire of Frontenac to checkmate the activities of the Jesuits in the western country. The book is a most excellent and laudable piece of work, and the author shows throughout a fine discernment of the laws of historical criticism.

E. M. C.

In *A Short History of the British Working Class Movement* (New York: Macmillan Co., 1927, vol. i, pp. 192; vol. ii, pp. 211; vol. iii, pp. 237) G. D. H. Cole attempts a survey and coördinated account of the development of the labor movement in Great Britain in its three phases or aspects, industrial, political, and coöperative. In a sense, therefore, his work may be regarded as a synthesis of the specialized and detailed histories of British trade unionism by Sidney and Beatrice Webb, of British socialism by Max Beer, and of the British coöperative movement by G. J. Holyoake and Benjamin Jones. In Mr. Cole's view "the three great sections of the Working-class Movement—the Trade Unions, the Coöperative Societies, and the political organizations—are but three aspects of one single endeavour, deriving their strength from a common necessity and a common inspiration, and, though their paths at times diverge, making for a common goal." Likewise, the labor movement for him is an international movement, differing in different countries only in details, not in essentials. "There is," he says, "but one Capitalist system: out of it springs but one Labour Movement." A history of the movement in Great Britain, therefore, is a history of its typical development in all other countries in their progress towards industrialization.

His history is written on the basis of these major premises. It is essentially a Guild Socialist interpretation. Mr. Cole is the leading spokesman

and publicist of the Guild Socialists. Yet his account is on the whole accurate, fairly well balanced, and remarkably free from the bias one might reasonably have expected. Thoroughness is not sacrificed to brevity, and one obtains from Cole's unified survey a perspective impossible to be had from the more exhaustive and detailed histories of specific aspects of the British labor movement.

E. E. H.

This monograph, *The Bureau of the Census*, by W. Stull Holt (Washington, The Brookings Institution, 1929, pp. x, 218), devotes ninety-four pages to the history of the Bureau or rather to the method and means of taking the census from the first. This agency did not take the title of the Bureau of the Census until 1904. This history of census-taking reveals the fluctuating character of the machinery for this task, and the constantly broadening scope of its activities, resulting finally in the greatest statistical agency known to civilization and assuming permanent form subject to expansion, however, during the census-taking period.

The other divisions of the study are devoted to activities (50 pages), organization (14 pages), and appendices, covering classification of activities, publications, laws relating to the census, and bibliography. The study is a very valuable exposition of the purposes, organization, and work of an increasingly important agent of the national government. In fact, its services and publications are indispensable to research in many phases of the social sciences.

C. P. P.

The Coast Guard, by D. H. Smith and F. W. Powell (The Brookings Institution, Washington, 1929, pp. xi, 265), is a monographic study of a service of the Treasury Department, which prior to 1915 was performed by two separate agencies—(1) the Revenue-Cutter Service and (2) the Life-Saving Service. The changes in scope and form of these services are traced from their inauguration by the first Congress under Washington's administration to their expansion in equipment and personnel made necessary by national prohibition to prevent smuggling.

The organization, activities, and personnel of this branch of the Treasury Department are discussed in some detail together with the publications and laws relating to them. A very valuable feature of all these monographs of the Institute is an extended bibliography, considerably enhancing their use for research purposes.

C. P. P.

A book of the size, scope, scholarship, and importance of L. L. Bernard's *Introduction to Social Psychology* (New York, Henry Holt and Company, 1926), deserves more attention than the space allowed for this note will permit. It is a work which is synthetic in its method of treatment, broad in its grasp of the details of the subject, scholarly in its penetration, and decidedly a most valuable contribution to the growing literature in the field of social psychology. It contains an extensive bibliography which impresses one as being exhaustive.

W. E. G.